Washington, Friday, August 14, 1953

TITLE 5-ADMINISTRATIVE **PERSONNEL**

Chapter I—Civil Service Commission

PART 6-EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF THE INTERIOR

Effective upon publication in the Fed-ERAL REGISTER, the positions listed below are excepted from the competitive service under Schedule C.

§ 6.310 Department of the Interior

- (f) Bureau of Reclamation—(1) One private secretary to the Commissioner.
 - (2) Three Assistant Commissioners.
 - (3) Chief Counsel.
- (g) Southeastern Power Administration-(1) Administrator.
 - (2) Assistant Administrator.
- (3) One private secretary to the Administrator.
 - (4) Chief Counsel.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 10440, March 31, 1953, 18 F. R. 1823)

> UNITED STATES CIVIL SERV-ICE COMMISSION.

[SEAL] WM. C. HULL. Executive Assistant.

[F. R. Doc. 53-7182; Filed, Aug. 13, 1953; 8:53 a. m.1

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

[1026 (Peanuts-53)-1 Amdt. 1]

PART 729-PEANUTS

MARKETING QUOTA REGULATIONS FOR 1953 CROP OF PEANUTS

Basis and purpose. Section 359 (a) of the Agricultural Adjustment Act of 1938, as amended, provides that the marketing, of any peanuts in excess of the marketing quota for the farm on which such peanuts are produced, or the marketing of peanuts from any farm for which no acreage allotment was determined, shall be subject to a penalty at a rate equal

to 50 per centum of the basic rate of the loan (calculated to the nearest tenth of a cent) for farm marketing quota peanuts for the marketing year August 1-July 31. When the Marketing Quota Regulations for the 1953 Crop of Peanuts were issued by the Secretary of Agriculture on June 8, 1953, the basic loan rate per pound of peanuts was not available and the exact rate of penalty could not be included in such regulations. Such loan rate, which is based on the parity price for peanuts on July 15, 1953, is now available and the purpose of the first amendment contained herein is to establish and include in the regualtions the exact rate of the penalty per pound of peanuts for the 1953 crop.

Section 729.441 (r) defines the term "pound" as meaning that quantity of farmers stock peanuts equal to one pound standard weight, and that if peanuts have been graded at the time of marketing the poundage shall be the weight thereof, excluding foreign material and excess moisture. The second amend-ment contained herein restates the definition of pound to define the words "excess moisture" as meaning moisture in excess of seven percent in the southeastern and southwestern areas or eight percent in the Virginia-Carolina area.

Peanuts are presently being harvested in the southwesterly areas of the United States and it is necessary that the amendments set forth herein be made effective at the earliest possible date in order that the exact rate of penalty may be made known to producers who desire to market peanuts, and to buyers who are charged in the regulations with the duty of collecting the penalty on peanuts marketed subject to the penalty, and in order that the poundage of peanuts marketed which contain an excessive amount of moisture may be properly determined. Accordingly, it is hereby determined and found that compliance with the notice, public procedure and effective date requirements of section 4 of the Administrative Procedure Act (5 U.S.C. 1003) is impracticable and contrary to the public interest, and the amendments contained herein chall be effective upon filing of this document

(Continued on p. 4349)

CONTENTS	
Agriculture Department Sec Entomology and Plant Quar- antine Bureau; Production and Marketing Administration.	Page
Civil Service Commission Rules and regulations: Competitive service, exceptions from; Department of the Interior	4847
Defense Mobilization Office See also Defense Rental Areas Division. Notices:	
Deletions from list of companies accepting request to participate in activities of the Army Ordnance Corps Integration Committee on conventional artillery and mortar shell	4063
Defense Rental Areas Division Rules and regulations: Adoption, ratification, confirma- tion and validation of Office of Rent Stabilization actions and delegations of authority.	4830
Removal of tenant:	
Hotels Motor courts Rooms	4852 4852 4851
Entomology and Plant Quarantine Bureau Proposed rule making: Gypsy and brown-tail moth; administrative instructions exempting certain articles from requirements of regula-	
tions Federal Communications Communications Communications Notices:	4058
Hearings, etc Cisler, S. A. (KXXL) Eric Television Corp. and Commodore Perry Eroad-	4864
casting Service, Inc Independence Broadcasting Co. and Delaware Broad-	4003
casting Co Smith, George A., Jr., et al Tri-City Television Corp. and Booth Radio & Television	4864 4863
Stations, Inc	4866 4164



Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as

amended June 19, 1937.

The Federal Register will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL

REGISTER.

CFR SUPPLEMENTS

(For use during 1953)

The following Supplement is now available:

Title 14: Parts 1—399 (Revised Book) (\$6.00)

Previously announced: Title 3 (\$1.75); Titles 4-5 (\$0.55); Title 6 (\$1.50); Title 7. Parts 1-209 (\$1.75), Parts 210-899 (\$2.25), Part 900-end (Revised Book) (\$6.00); Title 8 (Revised Book) (\$1.75); Title 9 (\$0.40); Titles 10-13 (\$0.40); Title 14: Part 400-end (Revised Book) (\$3.75); Title 15 (\$0.75); Title 16 (\$0.65); Title 17 (\$0.35); Title 18 (\$0.35); Title 19 (\$0.45); Title 20 (\$0.60); Title 21 (\$1.25); Titles 22-23 (\$0.65); Title 24 (\$0.65); Title 25 (\$0.40); Title 26: Parts 80-169 (\$0.40), Parts 170-182 (\$0.65), Parts 183-299 (\$1.75); Title 26; Part 300-end, Title 27 (\$0.60); Titles 28-29 (\$1.00); Titles 30-31 (\$0.65); Title 32: Parts 1-699 (\$0.75), Part 700-end (\$0.75); Title 33 (\$0.70); Titles 35-37 (\$0.55); Title 38 (\$1.50); Title 39 (\$1.00); Titles 40-42 (\$0.45); Title 43 (\$1.50); Titles 44-45 (\$0.60); Title 46: Parts 1-145 (Revised Book) (\$5.00), Part 146end (\$2.00); Titles 47-48 (\$2.00); Title 49: Parts 1-70 (\$0.50), Parts 71-90 (\$0.45), Parts 91–164 (\$0.40), Part 165– end (\$0.55); Title 50 (\$0.45)

Order from

Superintendent of Documents, Government Printing Office, Washington 25, D. C.

CONTENTS—Continued

Federal Communications Com- Page mission—Continued Notices—Continued List of changes proposed changes, and corrections in assignments: Mexican Broadcast Stations. U. S. Broadcasting Stations__ Proposed rule making: Color television transmissions; technical signal specifications 4861 Frequency allocations and radio treaty matters; allocation of frequencies in bands allocated exclusively to: Coast radiotelephone bands__ 4860 Fixed service____ 4859 broadcast High frequency service_ 4859 Passenger ship working bands_ 4860 Ship radiotelephone bands___ 4861 Rules and regulations: Citizens radio service; emission limitations__ 4857 Frequency allocations and radio treaty matters; general rules and regulations; table of frequency allocations (2 documents) ____ 4856 Public radiocommunication services (other than maritime mobile) allocation of frequencies) 4857 Federal Power Commission Notices: Hearings, etc.: Central Illinois Public Service 4867 Mississippi River Fuel Corp__ 4867 Montana-Dakota Utilities Co. 4868 Natural Gas Pipeline Co. of America_. 4867 Federal Trade Commission Notices: Tobacco smoking pipe, and cigar and cigarette holder industry. hearing on proposed trade practice rules_____ 4866 Fish and Wildlife Service Rules and regulations: National Wildlife Refuges: list of areas; editorial note_____ 4858 Interior Department See Fish and Wildlife Service; Land Management Bureau. Interstate Commerce Commission Notices: Applications for relief: Asphalt filler from Chatsworth, Ga., to certain States____ 4869 Fertilizer from Kentucky, Mississippi and South Carolina to points in Indiana__ 4869 Fresh meats and packing

house products from Okla-

homa and Texas to points in Louisiana and Texas___

CONTENTS—Continued

CO 11121110 C 0111111000	
Interstate Commerce Commis-	Pago
Notices—Continued	
Applications for relief—Con. Hides, pelts and skins from	
Reading, Pa., to Georgia	
and Alabama Merchandise in mixed car-	4869
loads from:	
- Certain points to southern territory	4870
territory Cincinnati, Ohio, to Orlan-	1010
do and St. Petersburg,	4870
Road-surfacing gravel from	2010
Standard Pit, Ind., to Cissna Park and Bryce, Ill.	4870
Spent sulphuric acid from	2010
Atlanta, Ga., to Nashville, Tenn	4868
Wrapping paper and related paper articles from Homer,	1000
paper articles from Homer, La., to St. Louis, Mo., East	
St. Louis and Thebes, Ill	4869
Rules and regulations: Explosives and other dangerous	
articles; revocation of certain	
provisions regarding marking on motor vehicles and trailers	
other than tank motor ye-	
	4857
Land Management Bureau	
Rules and regulations: Montana; revoking Executive	
Order No. 5122 of May 18.	
1929	4856
Post Office Department	
Rules and regulations: Dead mail matter	4853
General provisions relating to	
post officesTreatment of domestic mail	4853
matter at post offices of mail-	
	4853
Production and Marketing Ad- ministration	
Proposed rule making:	
· Peaches grown in Mesa County,	
Colorado; proposed expenses and rate of assessment for 1953-54 fiscal year	
1953-54 fiscal year	4859
Rules and regulations: Peanuts; amendment of mar-	
keting quota regulations for	4 44 4 44
1953 crop Pears, certain varieties, grown	4847
in California: regulation by	1616
grades and sizes Raisins produced from raisin	4849
variety grapes grown in Cali-	
fornia; storage requirements to facilitate inspection of rai-	
sins and verification of re-	Aties
	4850
Securities and Exchange Com-	
Notices:	
Standard Power and Light Corp., proposed acquisition	
by parent of securities to be	
distributed by sub-holding	
company undergoing liquida- tion	4868

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Title 3	Page
Chapter II (Executive orders):	
5122 (revoked by PLO 912)	4856
Title 5	
Chapter I:	
Part 6	4847
Title 7	
Chapter III:	
Part 301 (proposed)	4858
Chapter VII: Part 729	40.45
Chapter IX:	4847
Part 939	4849
Part 940 (proposed)	4859
Part 989	4850
Tirle 32A	
Chapter XXI (DRAD):	
GO 1	4850
RR 2	4851
RR 3	4852
RR 4	4852
Title 39	4.
Chapter I:	
Part 25	4853
Part 42	4853
Part 43	4853
Part 45	4853
Title 43	
Chapter I:	
Appendix (Public land orders):	
912	4856
Title 47	
Chapter I:	
Part 2 (2 documents)	4856
Proposed (5 documents) 4859	
Part 3 (proposed)	4861 4857
Part 19	4857
Title 49	1001
Chapter I:	
Part 77	4857
=	400 F
Title 50 Chapter I:	
Part 17	4858
* LUS V -\$ (1000

with the Director, Division of the Federal Register.

- 1. Section 729.455 (a) of the Marketing Quota Regulations for the 1953 Crop of Peanuts (18 F. R. 3316), is amended to read as follows:
- (a) The basic penalty rate shall be equal to 50 percent of the basic rate of the loan or support price for peanuts for the marketing year. The basic rate of the loan or support price for peanuts of the 1953 crop is 11.88 cents per pound, and the basic penalty rate is, therefore, 5.9 cents per pound.
- 2. Section 729.441 (r) of the Marketing Quota Regulations for the 1953 Crop of Peanuts (18 F. R. 3316) is amended to read as follows:
- (r) "Pound" means that quantity of farmers stock peanuts equal to one pound standard weight. If peanuts have been graded at the time of marketing, the

poundage shall be the weight thereof excluding foreign material and excess moisture (excess moisture means moisture in excess of seven percent in the southeastern and southwestern areas and eight percent in the Virginia-Carolina area, as such areas are described in the 1952 Price Support Bulletin (17 F. R. 5787)). If shelled peanuts are marketed, the poundage thereof shall be converted to the weight of farmers stock peanuts by multiplying the number of pounds of shelled peanuts by 1.5, and the result shall be the number of pounds considered as marketed under this part. (Sec. 375, 52 Stat. 66, as amended; 7 U.S. C. and Sup. 1375. Interpret or apply sec. 359, 55 Stat. 90, as amended; 7 U. S. C. and Sup.

Done at Washington, D. C. this 11th day of August 1953. Witness my hand and the seal of the Department of Agriculture.

1359)

[SEAL] TRUE D. MORSE,

Acting Secretary of Agriculture.

[F. R. Doc. 58-7150; Filed, Aug. 13, 1953; 8:47 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Pear Order 6]

PART 939—BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU VARIETIES OF PEARS GROWN IN OREGON, WASHINGTON AND CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 939.306 Pear Order 6—(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 39, as amended (7 CFR Part 939), regulating the handling of the Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington and California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations and information submitted by the Control Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of such pears, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication of this section in the Federal Register (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in

order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances. for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than August 15, 1953. A reasonable determination as to the composition of the available supplies of such pears, and therefore the extent of grade and size regulation warranted, must await the development of the crop: recommendations as to the need for, and the extent of, regulation of shipments of such pears were made by said committee on July 23, 1953, and on August 4, 1953, after consideration of all information then available relative to the supply and demand conditions for such pears, at which times such recommendations and supporting information were submitted to the Department and notice thereof given to handlers and growers; necessary sunplemental information was not available to the Department until August 10. 1953: shipments of the current crop of such pears are expected to begin on or about August 22, 1953, and this section should be applicable to all shipments of such pears in order to effectuate the declared policy of the act; and compliance with this section will not require of handlers any preparation therefor which cannot be completed by the effective time of this section.

(b) Order. (1) During the period reginning at 12:01 a.m., P. s. t., August 15, 1953, and ending at 12:01 a.m., F. s. t., July 1, 1954, no handler shall ship:

(i) Any Beurre D'Anjou pears unless such pears grade at least U. S. No. 2 and are of a size not smaller than the 180 size: Provided, That Beurre D'Anjou pears may be shipped to destinations other than export markets when bearing unhealed broken skins or skin punctures measuring not to exceed three-sixteenth of one inch in diameter or depth, as the case may be, if they otherwise meet the requirements of the U. S. Combination Grade.

(ii) Any Winter Nells pears unless such pears grade at least U. S. No. 2 and are of a size not smaller than the 225 size;

(iii) Any Doyenne du Comice pears unless such pears grade at least U. S. No. 2 and are of a size not smaller than the 165 size; or

(iv) Any Beurre Easter or Lewre Clairgeau pears unless such pears grade at least U. S. No. 2 and are of a size not smaller than the 180 size;

(v) Any Beurre Bosc pears grown in the Medford District, the Hood River-White Salmon-Underwood District, the Wenatchee District, the Yakima District or the Santa Clara District, unless such pears grade at least U. S. No. 2 and are of a size not smaller than the 180 size; or

(vi) Any Beurre Bosc pears grown in the Placerville District, unless such pears grade at least U. S. No. 2 and are of a size not smaller than the 100 size, except that pears which fail to meet the requirements with respect to shape specified in the U. S. No. 2 grade only because of frost injury or healed hail marks may be shipped to destinations other than

export markets: *Provided*, That such pears are not very seriously misshapen.

(2) As used in this section, "pears." "handler," "ship," "ship ments"
"shipped," "export markets," "Hood River - White Salmon - Underwood District," "Wenatchee District," "Yakima District," "Medford District," "Santa Clara District," and "Placerville District," shall have the same meaning as when used in the aforesaid amended marketing agreement and order: "U. S. No. 2." "U. S. Combination Grade," "frost injury," and "hail marks" shall have the same meaning as when used in the United States Standards for Winter Pears such as Anjou, Bosc, Winter Nelis, Comice, and other similar varieties, issued by the United States Department of Agriculture (7 CFR 51.332), "very seriously misshapen" shall mean that the pear is excessively flattened or elongated for the variety, or is con-stricted or deformed so it will not cut one good half or two fairly uniform quarters; and "165 size," "180 size," and "225 size" shall mean that the pears are of a size which, as indicated by the size number, will pack, in accordance with the sizing and packing specifications of a standard pack, as specified in said United States Standards, 165, 180, or 225 pears, respectively, in a standard western pear box (inside dimensions, 18 inches long by 111/2 inches wide by 81/2 inches deep)

(Sec. 5, 49 Stat. 753, as amended; 7 U.S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of August 1953.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable
Branch, Production and Marketing Administration.

[F. R. Doc. 53-7199; Filed, Aug. 13, 1953; 8:50 a. m.]

PART 989—HANDLING OF RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA

STORAGE REQUIREMENTS TO FACILITATE IN-SPECTION OF RAISINS AND VERIFICATION OF REPORT

Notice was published in the June 26. 1953 issue of the Federal Register (18 F R. 3675) that the Secretary of Agriculture was considering a proposed rule to approve an amendment submitted by the Raisin Administrative Committee of the amended administrative rules and regulations issued pursuant to the applicable provisions of Marketing Agreement No. 109 and Order No. 89 (7 CFR. 1952 Rev., Part 989) regulating the handling of raisins produced from raisin variety grapes grown in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) In said notice, opportunity was afforded all interested persons to file any data, views, or arguments with respect thereto. The period for filing such data, views, or arguments has expired.

After consideration of all matters pertaining thereto, including the data, views, or arguments which were filed in connection with the aforesaid notice, and other information available to the Secretary, it is concluded that the amendment of the amended administrative rules and regulations as hereinafter set forth, should be approved.

Therefore, it is hereby ordered, That the aforesaid amended administrative rules and regulations (7 CFR, 1952 Rev., Part 989) be further amended by adding, immediately after § 989.173 thereof, a new § 989.176 to read as follows:

§ 989.176 Storage requirements to facilitate inspection of raisins and verification of reports. Each handler shall store separate and apart from other raisins and from each other, each varietal type of: (a) Reserve tonnage raisins held by him for the account of the committee pursuant to the provisions of § 989.66; (b) surplus tonnage raisins held by him for the account of the committee pursuant to the provisions of § 989.66; and (c) any raisins (other than reserve or surplus tonnage) held by him for the account of producers or dehydrators for storage on memorandum receipt or other form of storage arrangement. Handlers shall be allowed three calendar days (exclusive of Saturdays, Sundays and legal holidays) after acquisition of any reserve tonnage or surplus tonnage raisins or after the receipt of any raisins for storage for the account of producers or dehydrators, to segregate and properly stack each varietal type.

It is hereby found that good cause exists for not postponing the effective date of said amendment of the amended administrative rules and regulations 30 days after the date of publication of this document in the FEDERAL REGISTER (see section 4 of the Administrative Procedure Act; 5 U.S. C. 1001 et seq.) or beyond August 14, 1953, because: (1) A new crop year under the aforesaid marketing agreement and order begins August 15, 1953, and it is desirable that the said amendment become effective on that date; (2) handlers generally are familiar with the requirements set forth in the said amendment and the aforesaid Raisin Administrative Committee will give individual notice of its effective date to handlers, of record; and (3) the amendment allows handlers three days after their acquisition or receipt of any raisins for them to comply with the requirements set forth therein, and this should afford ample time for such compliance.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued at Washington, D. C., this 11th day of August 1953, to become effective at 12:01 a. m., P. d. s. t., August 15, 1953.

[SEAL] TRUE D. MORSE, Acting Secretary of Agriculture. [F. R. Doc. 53-7152; Filed, Aug. 13, 1953; 8:47 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter XXI—Defense Rental Arcas Division, Office of Defense Mobilization

[General Order 1]

ADOPTION, RATIFICATION, CONFIRMATION AND VALIDATION OF OFFICE OF RENT STABILIZATION ACTIONS AND DELEGA-TIONS OF AUTHORITY

Adoption, ratification, confirmation and validation of Office of Rent Stabilization actions and delegations of authority. Pursuant to section 208 (a) of the Housing and Rent Act of 1947, as amended, the President on July 31, 1953, issued Executive Order 10475 abolishing the Office of Rent Stabilization, and transferring to the Director, Office of Defense Mobilization all powers, duties and functions conferred upon the President by the Housing and Rent Act of 1947, as amended, exclusive of those under sections 4 (e) 204 (f) (3), and the first sentence of 208 (a) of said act. On August 3, 1953, the Director, Office of Defense Mobilization issued Defense Mobilization Order No. 29, establishing the Defense Rental Areas Division in the Office of Defense Mobilization, and transferred such powers, duties and functions to the Director of the Defense Rental Areas Division.

All orders, rules, regulations, interpretations, directives, delegations of authority and similar documents or other actions issued or taken by the Director of Rent Stabilization, or by any officer or agency of the United States Government, pertaining to the powers, duties and functions under the Housing and Rent Act of 1947, as amended, which were delegated to the Director of Defense Rental Areas Division by Defense Mobilızation Order No. 29, and which were in effect on July 31, 1953, to the extent that they are not inconsistent with Executive Order 10475 and Defense Mobilization Order 29, are hereby adopted, ratifled, confirmed and validated, and shall remain in full force and effect until they expire by their own terms or are revoked or amended.

For the purposes hereof, wherever appropriate: References to Director of Rent Stabilization shall be construed to be references to the Director of Defense Rental Areas Division of the Office of Defense Mobilization; references to Deputy Director, Office of Rent Stabilization, shall be construed to be references to Deputy Director, Defense Rental Areas Division of the Office of Defense Mobilization; references to Office of Rent Stabilization; references to Office of Rent Stabilization shall be construed to be references to Defense Rental Areas Division of the Office of Defense Mobilization.

(Sec. 204, 61 Stat. 197, as amended; 50 U.S. C. App. Sup. 1894)

Issued and effective this 12th day of August 1953.

GLENWOOD J. SHERRARD,
Director,
Defense Rental Areas Division.
[F. R. Doc. 53-7235; Filed, Aug. 13, 1953;
11:09 a. m.]

[Rent Reg. 2, Amdt. 13]

RR 2-ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

REMOVAL OF TENANT

Effective August 12, 1953, Rent Regulation 2 is amended as set forth below. (Sec. 204, 61 Stat. 197, as amended; 50 U.S.C. App. Sup. 1894)

Issued this 12th day of August 1953.

GLENWOOD J. SHERRARD, Director Defense Rental Areas Division.

Sections 181 to 206, inclusive, are amended to read as follows:

6. RELIOVAL OF TENANT

GROTTADS

Sec. 181. Restrictions on removal of tenant. So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any room by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for surrender of possession or for entry of judgment upon the tenant's confession for breach of the covenants thereof, or which otherwise provides contrary to sections 181 to 206 except on one or more grounds specified in sections 182 to 190.

Sec. 182. Violating substantial obligation of tenancy. The tenant is violating a substantial obligation of his tenancy. other than an obligation to pay rent or an obligation to surrender possession of the room, and has continued or failed to cure such violation after a written notice by the landlord that the violation

Sec. 183. Nuisance or illegal or immoral use. Under the local law, the tenant (a) is committing or permitting a nuisance in the room or (b) is using or permitting a use of such room for an immoral or illegal purpose.

Sec. 184. Tenant's refusal of access to landlord. The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee, or other person having a legitimate interest therein: Provided, however That such refusal shall not be ground for removal if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement.

SEC. 185. Room entirely sublet. The tenant's lease or other rental agreement for a particular room has expired or otherwise terminated, and at the time of termination the occupant of the room is a subtenant or other person who occupied under a rental agreeemnt with the tenant, and no part of the accommodations is used by the tenant as his dwelling.

Sec. 136. Landlord is a State or political subdivision thercof. The room has been acquired by a State or political subdivision thereof and such State or political subdivision seeks to recover possession for the immediate purpose of making a public improvement,

Sec. 187. Occupancy by landlord or by landlord's parent or child. (a) Where the landlord seeks in good faith to recover possession of such room for his .immediate and personal use and occupancy as a dwelling, or for the immediate and personal use and occupancy as a dwelling by his parent or child; (b) where the landlord has in good faith contracted in writing to sell the premises to a purchaser and seeks in good faith to recover possession for the immediate and personal use and occupancy of such room as a dwelling by such purchaser or the purchaser's parent or child; (c) for the purposes of this section, the word "parent" includes a father and father-in-law, mother and mother-in-law and the word "child" includes a son and son-in-law, daughter and daughter-in-law, stepchild and adopted child.

Sec. 183. Alterations or remodeling. Where a landlord seeks in good faith to recover possession of a room for the immediate purpose of substantially altering or remodeling the room or the building in which the room is located and such alteration or remodeling cannot practicably be done with the tenant in occupancy or for the immediate purpose of substantially altering or remodeling other portions of the building so as to include the room in a newly created additional housing accommodation of the type recognized as selfcontained family dwelling units in the neighborhood in which they are located: Provided, however That the landlord has obtained such approval for the proposed alterations or remodeling as may be required by Federal, State and local

SEC. 189. Withdrawal from rental markct. Where the landlord establishes that he seeks in good faith to recover possession of the room for the immediate purpose of permanently withdrawing it from the housing rental market without any intent to sell the premises.

SEC. 190. Landlord is tax-exempt organization. Where the landlord establishes that it is an organization exempt from taxation under section 101 (6) of the Internal Revenue Code, and that it seeks in good faith to recover possession of the room for the immediate and personal use and occupancy as a dwelling by members of its staff.

Sec. 201. Notice required. (a) No tenant shall be removed or evicted from a room by court process or otherwise and no action or proceeding shall be commenced for such purpose upon any of the grounds permitted in sections 181 to 190, including an action based upon nonpayment of rent, unless and until the landlord shall have given written notice to the tenant as provided in this section.

(b) Every such notice to a tenant to vacate or surrender possession of a room chall state the ground under sections 181 to 190 upon which the landlord relies for removal or eviction of the tenant, the facts necessary to establish the existence of such ground, and the date when the tenant is required to surrender possession. Where the basis relied upon for the removal or eviction of a tenant is non-payment of rent the notice shall also include a statement of the amount of the rent due and the rental period or periods for which such rent is due.

(c) Every such notice shall give to the tenant a period not less than the following periods prior to the date specified therein for the surrender of possession and to the commencement of any action for removal or eviction: In cases arising under section 182, 183, 184 or 185, a period not less than 10 days; under section 186, a period not less than two months; under sections 187, 183, 189 and 190 a period not less than three months: and in cases where the basis relied upon in such notice for removal or eviction is non-payment of rent, a period not less than three days.

(d) If judgment for possession is cought by virtue of a confession of judgment or by virtue of a warrant of attorney authorizing confession of such judgment against the tenant, the date of commencement of the action as referred to in sections 181 to 206 shall be deemed to be the date of the filing in court of the first papers in the proceedings for the entry of such judgment.

EXCEPTIONS

Src. 206. Exceptions. (a) The provisions of sections 181 to 201 do not apply to:

(i) Subtenants. A subtenant or other person who occupies or occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless the rental agreement between the landlord and tenant contemplated the subletting by the tenant of the entire accommodations or substantially all of the individual units therein, or unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(ii) Daily tenants. A tenant occupying the room on a daily bacis except that the provisions of sections 181 to 201 do apply to a tenant who has been in occupancy after the effective date of resulation in an establishment for a continuous period of seven days or more, if such tenant has requested a weekly term of occupancy and shall apply also to any such tenant who is in continuous occupancy for a period of 30 days or more after the effective date of regulation, if such tenant has requested a monthly term of occupancy and a marimum rent is established for a monthly term of occupancy.

(iii) One or two paying tenants in non-housel:ceping furnished rooms. A tenant or tenants occupying non-houseliceping furnished rooms located within a single dwelling unit, but only if (a) no more than two paying tenants, non-macro of the landlord's immediate family, live in such dwelling unit, and (b) the remaining portion of such dwelling unit is occupied by the landlord or his immediate family.

(iv) Rooms for employees of Federal Government. Rooms with maximum rents established under section 86 (a)

or 98 (a)
(b) Public housing. Notwithstanding any other provisions of sections 181 to 206, the United States or any State or local public agency may maintain an action or proceeding to recover possession of any room operated by it where such action or proceeding is authorized by the statute or regulation under which such room is administered.

[F R. Doc. 53-7236; Filed, Aug. 13, 1953; 11:09 a. m.]

[Rent Reg. 3, Amdt. 12]
RR 3—HOTEL REGULATION
REMOVAL OF TENANT

Effective August 12th, 1953, Rent Regulation 3 is amended as set forth below. (Sec. 204, 61 Stat. 197, as amended; 50 USC App. Sup. 1894)

Issued this 12th day of August 1953.

GLENWOOD J. SHERRARD,

Director

Defense Rental Areas Division.

Sections 95 to 104, inclusive, are amended to read as follows, and a new Section 105 is added:

6. REMOVAL OF TENANT

Sec. 95. Restrictions on removal of tenant. So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any room by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement, or obligation heretofore or hereafter entered into which provides for surrender of possession or for entry of judgment upon the tenant's confession for breach of the covenants thereof, or which otherwise provides contrary hereto except on one or more of the grounds specified in sections 96 to 103.

Sec. 96. Violating substantial obligation of tenancy. The tenant is violating a substantial obligation of his tenancy, other than an obligation to pay rent or an obligation to surrender possession of the room, and has continued or failed to cure such violation after a written notice by the landlord that the violation cease.

Sec. 97. Nusance or illegal or immoral use. Under the local law, the tenant (a) is committing or permitting a nusance in the room or (b) is using or permitting a use of such room for an immoral or illegal purpose.

SEC. 98. Tenant's refusal of access to landlord. The tenant has unreasonably

refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee, or other person having a legitimate interest therein: Provided, however That such refusal shall not be ground for removal if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement.

SEC. 99. Rooms entirely sublet. The tenant's lease or other rental agreement for a particular room has expired or otherwise terminated, and at the time of termination the occupant of the room is a subtenant or other person who occupied under a rental agreement with the tenant, and no part of the accommodations is used by the tenant as his dwelling.

Sec. 100. Landlord is a State or political subdivision thereof. The room has been acquired by a State or political subdivision thereof and such State or political-subdivision seeks to recover possession for the immediate purpose of making a public improvement.

SEC. 101. Alterations or remodeling. Where a landlord seeks in good faith to recover possession of a room for the immediate purpose of substantially altering or remodeling the room or the building in which the room is located and such alteration or remodeling cannot practicably be done with the tenant in occupancy or for the immediate purpose of substantially altering or remodeling other portions of the building so as to include the room in a newly created additional housing accommodation of the type recognized as self-contained family dwelling units in the neighborhood in which they are located: Provided, however That the landlord has obtained such approval for the proposed alterations or remodeling as may be required by Federal, State, and local law.

Sec. 102. Withdrawal from rental market. Where the landlord establishes that he seeks in good faith to recover possession of the room for the immediate purpose of permanently withdrawing it from the housing rental market without any intent to sell the premises.

Sec. 103. Landlord is tax-exempt organization. Where the landlord establishes that it is an organization exempt from taxation under section 101 (6) of the Internal Revenue Code, and that it seeks in good faith to recover possession of the room for the immediate and personal use and occupancy as a dwelling by members of its staff.

Sec. 104. Notice required. (a) No tenant shall be removed or evicted from a room by court process or otherwise and no action or proceeding shall be commenced for such purpose upon any of the grounds permitted in sections 95 to 103, including an action based upon nonpayment of rent, unless and until the landlord shall have given written notice to the tenant as provided in this section.

(b) Every such notice to a tenant to vacate or surrender possession of a room shall state the ground under sections 95

to 103 upon which the landlord relies for removal or eviction of the tenant, the facts necessary to establish the existence of such ground, and the date when the tenant is required to surrender possession. Where the basis relied upon for removal or eviction of a tenant is nonpayment of rent the notice shall also include a statement of the amount of the rent due and the rental period or periods for which such rent is due.

(c) Every such notice shall give to the tenant a period not less than the following periods prior to the date specified therein for the surrender of possession and to the commencement of any action for removal or eviction: In cases arising under sections 96 to 99, a period not less than 10 days; under section 100, a period not less than one month; under sections 101 to 103, a period not less than two months; and in cases where the basis relied upon in such notice for removal or eviction is nonpayment of rent, a period not less than three days.

(d) If judgment for possession is sought by virtue of a confession of judgment or by virtue of a warrant of attorney authorizing confession of such judgment against the tenant, the date of commencement of the action, as referred to in sections 95 to 105, shall be deemed to be the date of the filing in court of the first papers in the proceedings for the entry of such judgment.

-Sec. 105. Exceptions. The provisions of sections 95 to 104 do not apply to:

(a) Subtenants. A subtenant or other person who occupies or occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless the rental agreement between the landlord and tenant contemplated the subletting by the tenant of the entire accommodations or substantially all of the individual units therein, or unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(b) Daily tenants. A tenant occupying a room on a daily basis, except that the provisions of sections 95 to 104 do apply to any such tenant who has occupied a room in the hotel for a continuous period of 30 days or more after the effective date of regulation, if such tenant has requested a weekly or monthly term of occupancy and the landlord is required to rent on such basis.

[F. R. Doc. 53-7237; Filed, Aug. 13, 1953; 11:09 a. m.]

[Rent Reg. 4, Amdt. 6]
RR 4—MOTOR COURTS
REMOVAL OF TENANT

Effective August 12, 1953, Rent Regulation 4 is amended as set forth below. (Sec. 204, 61 Stat. 197, as amended; 50 U.S. C. App. Sup. 1894)

Issued this 12th day of August 1953.

GLENWOOD J. SHERRARD, Director, Defense Rental Areas Division.

Sections 181 to 206, inclusive, are amended to read as follows:

6. REMOVAL OF TENANT

GROUNDS

SEC. 181. Restrictions on removal of tenant. So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any room by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for surrender of possession or for entry of judgment upon the tenant's confession for breach of the covenants thereof, or which otherwise provides contrary to sections 131 to 206 except on one or more grounds specified in sections 182 to 190.

SEC. 182. Violating substantial obligation of tenancy. The tenant is violating a substantial obligation of his tenancy. other than an obligation to pay rent or an obligation to surrender possession of the room, and has continued or failed to cure such violation after a written notice by the landlord that the violation cease.

SEC. 183. Nuisance or illegal or immoral use. Under the local law, the tenant (a) is committing or permitting a nuisance in the room or (b) is using or permitting a use of such room for an immoral or illegal purpose.

SEC. 184. Tenant's refusal of access to landlord. The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showmg the room to a prospective purchaser, mortgagee, or other person having a legitimate interest therein: Provided. however That such refusal shall not be ground for removal if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement.

Sec. 185. Accommodations entirely sublet The tenant's lease or other rental agreement for a particular room has expired or otherwise terminated, and at the time of termination the occupant of the room is a subtenant or other person who occupied under a rental agreement with the tenant, and no part of the accommodations is used by the tenant as his dwelling.

Sec. 186. Landlord is a State or political subdivision thereof. The room has been acquired by a State or political subdivision thereof and such State or political subdivision seeks to recover possession for the immediate purpose of making a public improvement.

SEC. 187. Occupancy by landlord or by landlord's parent or child. (a) Where the landlord seeks in good faith to recover possession of such room for his immediate and personal use and occupancy as a dwelling or for the immediate and personal use and occupancy as a

dwelling by his parent or child. Where the landlord has in good faith contracted in writing to sell the premises to a purchaser and seeks in good faith to recover possession for the immediate and personal use and occupancy of such room as a dwelling by such purchaser or the purchaser's parent or child. (c) For the purposes of this section, the word "parent" includes a father and father-in-law, mother and mother-in-law and the word "child" includes a son and son-in-law, daugter and daughter-in-law, stepchild and adopted child.

Sec. 188. Alterations or remodeling. Where a landlord seeks in good faith to recover possession of a room for the immediate purpose of substantially altering or remodeling the room or the buildmg m which the room is located and such alteration or remodeling cannot practicably be done with the tenant in occupancy or for the immediate purpose of substantially altering or remodeling other portions of the building so as to include the room in a newly created additional housing accommodation of the type recognized as selfcontained family dwelling units in the neighborhood in which they are located: Provided, however, that the landlord has obtained such approval for the proposed alterations or remodeling as may be required by Federal, State, and local law.

Sec. 189. Withdrawal from rental market. Where the landlord establishes that he seeks in good faith to recover possession of the room for the immediate purpose of permanently withdrawing it from the housing rental market without any intent to sell the premises.

Sec. 190. Landlord is tax-exempt organization. Where the landlord estab-lishes that it is an organization exempt from taxation under section 101 (6) of the Internal Revenue Code, and that it seeks in good faith to recover possession of the room for the immediate and personal use and occupancy as a dwelling by members of its staff.

SEC. 201. Notice required. (a) No tenant shall be removed or evicted from a room by court process or otherwise and no action or proceeding shall be commenced for such purpose upon any of the grounds permitted in sections 181 to 190, including an action based upon nonpayment of rent, unless and until the landlord shall have given written notice to the tenant as provided in this section.

(b) Every such notice to a tenant to vacate or surrender postession of a room shall state the ground under sections 181 to 190 upon which the landlord relies for removal or eviction of the tenant, the facts necessary to establish the existence of such ground, and the date when the tenant is required to surrender possession. Where the basis relied upon for removal or eviction of a tenant is nonpayment of rent the notice shall also include a statement of the amount of the rent due and the rental period or periods for which such rent is due.

(c) Every such notice shall give to the tenant a period not less than the follow- paragraph (a) to read as follows:

ing periods prior to the date specified therein for the surrender of possession and to the commencement of any action for removal or eviction: In cases arising under section 182, 183 or 184, a period not less than 10 days; under section 185 or 186, a period not less than two months; under sections 187, 183, 189 and 190 a period not less than three months; and in cases where the basis relied upon in such notice for removal or eviction is non-payment of rent, a period not less than three days.

(d) If judgment for possession is sought by virtue of a confession of judgment or by virtue of a warrant of attorney authorizing confession of such judgment against the tenant, the date of commencement of the action as referred to in sections 181 to 206 shall be deemed to be the date of the filing in court of the first papers in the proceedings for the entry of such judgment.

EXCEPTIONS

SEC. 206. Exceptions. The provisions of sections 181 to 201 do not apply to:

(a) Subtenants. A subtenant other person who occupies or occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless the rental agreement between the landlord and tenant contemplated the subletting by the tenant of the entire accommodations or substantially all of the individual units therein, or unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(b) Daily tenants. A tenant occupying the room on a daily basis except that the provisions of sections 181 to 201 do apply to a tenant who has been in occupancy after the effective date of regulation in an establishment for a continuous period of seven days or more, if such tenant has requested a weekly term of occupancy and shall apply also to any such tenant who is in continuous occupancy for a period of 30 days or more after the effective date of regulation, if such tenant has requested a monthly term of occupancy and a mainmum rent is established for a monthly term of occupancy.

(c) Rooms for employees of Federal Government. Rooms with maximum rents established under section 54 (a)

[P. R. Doc. 53-7238; Filed, Aug. 13, 1953; 11:03 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 25-GENERAL PROVISIONS RELITING TO POST OFFICES

PART 42-TREATMENT OF DOMESTIC LAME MATTER AT POST OFFICES OF MAILING AND AT POST OFFICES IN TRANSIT

PART 43-TREATMENT OF DOMESTIC MAIL MATTER AT RECEIVING POST OFFICES

PART 45-DEAD MAIL MATTER

LUSCELLANDOUS AREHIDERENTS

1. In § 25.5 Post office hours amend

- (a) On business days. Post offices shall maintain window service for the delivery of mail and the sale of stamps every business day during the hours when the principal business houses are open. When specific instructions as to general-delivery and stamp-window hours are desired, postmasters at first-class offices should write to the Bureau of Post Office Operations, Division of Clerical Service, and postmasters at other offices should write to their central accounting office, stating the time of arrival and departure of mails and the hours observed by the principal business houses.
- (R. S. 161, 396, 3839; secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 4)
- 2. In § 42.15 Unpaid letters accompanied with money insufficient for one full rate amend paragraph (b) to read as follows:
- (b) Mailed by different persons. When such letters are mailed by different persons they shall be notified that the letters are held for postage. If this cannot be done, then the letters shall be treated as "held for postage" and disposed of as provided in the following section, and the money treated as money found loose in the mails.
- (R. S. 161, 396, 3937, as amended; secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 407)
- 3. In § 42.16 Treatment of unpaid or insufficiently paid matter amend paragraph (g) by striking out the phrase "and disposed of as provided in §§ 45.3 and 45.5 of this chapter" and inserting in lieu thereof the phrase "and disposed of as provided in Part 45 of this chapter."
- (R. S. 161, 396, 3937, as amended; secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 407)
- 4. In § 42.18 Nonmailable matter obscene, scurrilous, disloyal, and lottery matter amend paragraph (a) (3) to read as follows:
- (3) Matter declared nonmailable by the provisions of § 36.8 of this chapter shall be sent to proper dead letter branch for disposition.
- (R. S. 161, 396; secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)
- 5. Amend § 42.19 Matter "held for postage," misdirected, of excess weight or size, or damaged, to read as follows:
- § 42.19 Matter "held for postage," misdirected, of excess weight or size, or damaged—(a) Disposition of. The following unmailable matter, when of the first class shall be sent to the proper dead letter branch and when of the third or fourth class to the proper dead parcel post branch. (See § 45.6 of this chapter)
- (1) "Held for postage" matter which cannot be returned to sender and has not been prepaid by addressee, as provided in § 42.16.
- (2) Misdirected matter which cannot be dispatched to the addressee nor returned to the sender, as provided in § 42.17.
- (3) Excess of weight and size matter, or those packages of domestic matter

- which exceed the weight or size limited by law. (See §§ 34.74, 35.2 and 35.3 of this chapter.)
- (4) Mutilated or damaged matter other than merchandise found loose in the mails, or that which when deposited in the post office is, or before dispatch may become, so damaged that it cannot be forwarded to destination and cannot be returned to the sender.
- be returned to the sender.

 (b) Exceptions. "Held for postage" and misdirected printed matter (nixies) of no obvious value, may be disposed of as waste paper or destroyed as provided in § 43.46 of this chapter respecting unclaimed printed matter of like character. Samples of merchandise sent for advertising purposes and articles of like character if suitable for the purpose may be delivered impartially by postmasters, after the wrappers have been removed and destroyed, to charitable or reformatory institutions which will promise their free distribution. Such matter which is unsuitable for such disposition shall be disposed of as waste or destroyed, except that anything of such value as to warrant the expense of transportation and handling shall be forwarded without listing or recording to the proper dead parcel post branch. (See §§ 45.5 and 45.6 of this chapter.) If any matter mentioned in this paragraph is found, upon treatment, to contain other matter of a higher class, it shall be disposed of in accordance with pargaraph (a) of this section.
- (R. S. 161, 396, 3936, as amended; secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 406)
- 6. Section 42,20 Frequency of returns of unmailable matter to dead-letter branches is rescinded.
- (R. S. 161, 396, 3936, as amended; secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 406)
- 7. In § 43.13 Forwarding requests amend paragraph (f) to read as follows:
- (f) Forwarding on trial. Mail shall not be forwarded on trial. A postmaster at whose office mail matter cannot be delivered may forward such mail matter to another office if he has special reason to believe it can be delivered therefrom. (R. S. 161, 396; secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)
- 8. Amend § 43.38 Valuable letters received from dead letter branch, to read as follows:
- § 43.38 Valuable mail received from dead letter or dead parqel post branches—(a) Treatment in delivery. When dead mail matter containing money or other valuable matter is received from a dead letter or dead parcel post branch for delivery to the owners, diligent effort shall be made to deliver it to the proper person. Such matter shall be treated as if under seal, and postal employees shall maintain the strictest secrecy as to its contents.
- (b) Disposal if undeliverable. If matter received from a dead letter or dead parcel post branch cannot be delivered within a reasonable time, the reason for nondelivery shall be endorsed on the form which accompanies such matter and the undeliverable dead matter and

- the form returned to the dead letter or dead parcel post branch from which sent.
- (c) Return of undeliverable dead mutter Dead mail matter sent to a postmaster by a dead letter or dead parcel post branch for possible delivery but which cannot be delivered shall be returned to the dead letter or dead parcel post branch under the same class of mail by which it was received.
- (d) Forwarding of dead mail matter Dead mail matter received from a dead letter or dead parcel post branch for delivery shall be forwarded to another post office under the same class of mail by which it was received, if delivery may be effected by so doing, and the form accompanying the dead matter appropriately endorsed and forwarded with the dead matter.
- (e) When received registered from a dead letter or dead parcel post branch. When dead mail matter is received under registered cover from a dead letter or dead parcel post branch for possible delivery, such registered letter shall be handled in the dead letter branch of the office of address. If the receiving office does not have a dead letter branch, the postmaster shall designate where such requests will be handled. In any event, the registry section shall not be allowed to open and dispose of such registered mail. Should the proper address be supplied to the dead mail matter, it shall be re-registered to the rightful owner under the local post office registry number and the person to whom delivered charged with the regular 5-cent dead letter postage-due fee plus the minimum registry fee. The registered number shall be entered on the form which accompanied the delivering office.
- (R. S. 161, 396; secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)
- 9. In § 43.47 Disposal of undeliverable perishable matter make the following changes:
- a. Amend paragraph (b) to read as follows:
- (b) When may be sold, procedure. Undeliverable parcels containing live day-old poultry, dressed poultry, fresh meats, fish, vegetables, fruits, berries, out flowers, nursery stock, eggs, hides and pelts, or other perishable articles, may, when there is insufficient time to forward them to the addressee at a new address or return them to the sender before the contents would spoil (60 hours from time of hatching with respect to live day-old poultry-see § 35.24 of this chapter) be disposed of by postmasters by sale through competitive bidding. Postal employees are strictly forbidden to submit bids at such sales nor shall bids be accepted from or on behalf of the original addressee of such perishable article or articles. The amount realized, less a commission of 10 percent, but in no case less than 15 cents, shall be remitted to the sender or rightful owner, or the net amount realized may be delivered at any time within 30 days to the sender, original addressee, or such other person, as may be the rightful owner, or on his written order, and a receipt obtained therefor. In case of doubt as to the rightful owner of the proceeds, instruc-

tions shall be obtained from the Department. For a period of 30 days after the sale of such matter the net proceeds shall be placed in the trust funds of the office if proper disbursement cannot be made. At the end of each month, but not before such money has been held for 30 days, it shall be withdrawn from the trust funds if unclaimed and accounted for as postal revenue under "Miscellaneous Receipts" at the post office where the perishable matter was sold.

b. Amend paragraph (f) to read as follows:

(f) Samples of merchandise. Undeliverable samples of merchandise whether perishable or not, sent for advertising purposes on which forwarding or return postage is not guaranteed, shall be disposed of as follows as soon as it is determined that delivery cannot be made: After the wrappers have been removed and destroyed, if suitable for the purpose, the postmaster may deliver such samples of merchandise impartially to charitable or reformatory institutions which will promise their free distribution. Such matter which is unsuitable for this disposition shall be disposed of as waste or destroyed, except that anything of such value as to warrant the expense of transportation and handling shall be forwarded without listing or recording, to the designated dead parcel post branch. (See § 42.19 (b) of this chapter.)

(R. S. 161, 396; secs. 304, 309, 42 Stat. 24, 25, sec. 1, 46 Stat. 264; 5 U. S. C. 22, 369, 39 U. S. C. 261)

10. In § 43.48 Return of third- and fourth-class matter make the following changes:

a. Amend paragraph (j) to read as follows:

(j) Undeliverable third- and fourthclass matter which cannot be returned. Undeliverable matter of the third and fourth classes of obvious value, which cannot be returned to the sender under the provisions of this section shall be disposed of in accordance with the instructions in § 45.5 of this chapter.

b. Amend paragraph (k) to read as follows:

(k) Matter for foreign countries posted in violation of law or treaty. Mail matter addressed to foreign countries, posted in violation of law or treaty stipulation and bearing a return address, shall be returned at once without charge to the sender with reason for return properly endorsed thereon. All such matter without return address shall be treated and disposed of in the same manner as ordinary domestic matter; provided, however, that matter other than that of the first-class letter form of foreign address which is found to be undeliverable and of obvious value shall be held 6 months awaiting reclamation before being sent to the proper dead parcel post branch.

(R. S. 161, 396; secs. 304, 309, 42 Stat. 24, 25, secs. 1, 2, 64 Stat. 210; 5 U. S. C. 22, 369, 39 U. S. C. 278a, 278b)

11. Part 45, Dead mail matter, is hereby amended to read as follows:

45.1 Definition.

TREATMENT

45.2 Return of undelivered letters, authority for.

45.3 Retention period of undeliverable and unmailable matter in past office.

DISPOSITION OF DEAD MAIL MATTER

45.4 Disposal of letters containing valuables.
 45.5 Domestic undeliverable and unmailable matter.

LOCATIONS OF DEAD LETTER AND DEAD PARCEL POST BRANCHES

45.6 Dead letter and dedd parcel post branches.

AUTHORITY: \$§ 45.1 to 45.6 issued under authority R. S. 161, 396, 3936, as amended; secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 406. Statutory providens interpreted or applied cited to text.

§ 45.1 Definitions. Dead mail is matter deposited in the mails which is or becomes undeliverable or is unmailable and which cannot be returned to the sender.

TREATMENT

§ 45.2 Return of undelivered letters, authority for. The Postmaster General * * * may make regulations for * * return (of undelivered letters) from the dead letter office to the writers when they cannot be delivered to the parties addressed. When letters and parcels of the first class are returned from the dead letter office to the writers, a fee of 5 cents shall be collected at the time of delivery, and in addition a charge shall be made of the minimum registry fee for the return of all ordinary dead letters containing \$1 or more in cash, and parcels of the first class apparently valued at \$1 or more, under such rules and regulations as the Postmaster General may prescribe. (R. S. 3936, as amended; 39 U. S. C. 406.)

Nore: See \$43.42 of this chapter as to time of retention in post offices.

§ 45.3 Retention period of undeliverable and unmailable matter in post office—(a) Matter which is not returned. Undeliverable and unmailable matter which is not returned to the senders texcept that for which other treatment is provided) shall be retained in post offices for the retention period specified elsewhere in these instructions for the several classes of mail, but for not less than the periods shown below, and then sent to the proper dead letter or dead parcel post branch without listing or recording. (See §§ 43.42 to 43.49 of this chapter.)

(b) Third- and fourth-class matter. Ordinary third- and fourth-class matter and articles found loose in the mails, of obvious value, including parcels without address, shall be retained 60 days.

(c) Violation of law or treaty. All mail matter including that of the first class not in the form of a letter addressed to foreign countries, posted in violation of law or treaty stipulation that is of obvious value, 6 months.

(d) Insured and c. o. d. matter. All insured and c. o. d. matter, except parcels which bear written or printed in-

structions of the conder that they are to be abandoned or destroyed if undeliverable, shall be retained for the proper retention period (not to enceed 30 days under any dircumstances) (See § 45.5 (b).)

(e) Claims pending on parcels. Parcels on which claims are pending shall not be sent to a dead parcel post branch until the claim has been adjusted.

DISPOSITION OF DEAD MAIL MATTER

§ 45.4 Disposal of letters confaming raluables, authority for. All letters of domectic origin which cannot be delivered by postmacters shall be sent to the Post Office Department or to a post office designated by the Postmaster General and such as contain enclosures of value. other than correspondence, shall be recorded. If the sender or addressee cannot be identified, such letters shall be held for a period of 1 year awaiting reclamation. If within 1 year they have not been claimed, they shall be disposed of as the Postmaster General may direct. All other undeliverable letters shall be disposed of without record and not held for reclamation. (R. S. 3933. as amended; 39 U.S.C. 493.)

§ 45.5 Domestic undeliverable and unmailable matter—(a) First-class matter except parcels at the first-class rate. Domestic undeliverable and unmailable matter of the first class, except first-class parcels and parcel post matter charged with postage at the first-class rate reaching any post office having a dead letter branch shall be treated in the dead letter branch of that office. Such matter reaching any other post office shall be sent to the dead letter branch of its central accounting post office. Daily dispatches of dead letter mail shall be made to dead letter branches by offices of the first class, and weekly dispatches shall be made by other offices. (See § 114.26 of this chapter.)

(b) Third- and fourth-class matter and parcels at the first-class rate. Domestic undeliverable and unmailable matter of the third and fourth classes. of obvious value only, first-class parcels and parcel post matter charged with postage at the first-class rate which cannot be returned to the sender, shall be sent to the proper dead parcel post branch. Dispatches of dead mail matter shall be made to dead parcel post branches once each week by all offices. However, domestic ordinary, insured, or c. o. d. articles which are undeliverable or unmailable and which bear written or printed instructions of the sender that they are to be abandoned if undeliverable to the addressee, shall be stripped when they become definitely undeliverable and the contents disposed of in accordance with the instructions in § 43.47 (f) of this chapter. Insured and c. o. d. articles which bear the written or printed instructions of the sender that they are to be destroyed if undeliverable to the addressee, shall be promptly stripped and destroyed by the postmaster at the office where the last unsuccessful attempt to deliver was made after being held for the proper retention period (not to exceed 30 days under any circumstances). The treatment prescribed in the foregoing provision shall also apply to parcels of domestic origin and foreign address, including ordinary, registered, insured, and c. o. d. matter which has been returned to this administration as undeliverable to the addressee and which bear written or printed instructions of the sender that they are to be treated as abandoned if undeliverable to the addressees, and those whose contents are obviously of no value which the records show to have been refused by senders. (See § 43.48 (k) of this chapter.) In each instance where an insured or c. o. d. parcel is treated as abandoned, or destroyed by direction of the sender, the sender shall be notified on Form 3831 of such action. In the case of insured and c. o. d. matter, a record shall be made in accordance with instructions set forth in the Post Office Manual. Packages containing medicine, perishable articles, liquids, or articles of like character liable to injure other matter with which they come in contact or to attract rodents or vermin, shall be destroyed as soon as it is ascertained that they cannot be restored to the owners.

(c) Foreign dead matter Undeliverable matter of foreign origin, except that endorsed for abandonment, shall be sent by each post office to the proper exchange office (see Part II, Official Postal Guide) for return to the country of origin, except that undeliverable letters originating in Canada or Mexico and not bearing the return card address of the sender shall be forwarded separately in a properly marked package to the proper dead letter branch for disposition. Undeliverable letters from both Canada and Mexico which bear a return card shall be returned directly by the post office of address to the office or origin in these countries. (See § 114.26 of this chapter.)

LOCATIONS OF DEAD LETTER AND DEAD PARCEL POST BRANCHES

§ 45.6 (a) Dead letter branches. Dead letter branches are located at each central accounting post office and at Washington, D. C. See Post Office Manual for list of central accounting offices.

(b) Dead parcel post branches. Dead parcel post branches and the territory served are listed in the Post Office Manual.

[SEAL]

Ross Rizley, Solicitor

[F. R. Doc. 53-7148; Filed, Aug. 13, 1953; 8: 46 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders
[Public Land Order 912]

MONTANA

REVOKING EXECUTIVE ORDER NO. 5122 OF MAY 18, 1929

By virtue of the authority vested in the President and pursuant to Executive

Order No. 10355 of May 26, 1952, it is ordered as follows:

Executive Order No. 5122 of May 18, 1929, reserving lands of the United States embraced in the former Fort Keogh Military Reservation in the State of Montana as a preserve and breeding ground for native birds, to be known as the Fort Keogh Bird Refuge, now the Fort Keogh National Wildlife Refuge, is hereby revoked.

So far as title thereto is in the United States, the lands affected by this order are subject to the jurisdiction of the Department of Agriculture as provided by the act of April 15, 1924 (43 Stat. 99)

ORME LEWIS, Assistant Secretary of the Interior

AUGUST 10, 1953.

[F. R. Doc. 53-7143; Filed, Aug. 13, 1953; 8:45 a. m.]

TITLE 47—TELECOMMUNI-CATION

Chapter I—Federal Communications Commission

[Docket No. 10302]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

TABLE OF FREQUENCY ALLOCATIONS

In the matter of amendment of Part 2 of the Commission's rules and regulations concerning, the frequency band 2088.5-2093.5 kc for ship telegraph calling purposes; Docket No. 10302.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 5th day of August 1953:

The Commission having under consideration its proposal in the above-

entitled matter; and
It appearing, that in accordance with
the requirements of section 4 (a) of the
Administrative Procedure Act, notice of
proposed rule making in this matter
which made provision for the submission
of written comments by interested parties, was duly published in the Federal
Register on August 16, 1952; that the
period for the filing of comments has now
expired and that none have been received: and

It further appearing, that the effect of this proposal is to amend the table of frequency allocations so as to authorize future operations only in accordance with the Atlantic City Table of Frequency Allocations; and

It further appearing, that this amendment does not affect the status of existing frequency assignments in this band to remote pickup stations which are subject to the proceeding in Docket No. 10211 and which may be authorized to use such existing frequencies until February 1, 1954; and

It further appearing, that the public interest, convenience, and necessity will be served by the amendment herein ordered, the authority for which is contained in section 303 (c) (f) and (r) of the Communications Act of 1934, as amended:

It is ordered, That, effective September 10, 1953, Part 2 of the Commission's rules is amended as set forth below.

(Sec. 303, 48 Stat. 1082, as amended; 47 U.S. C. 303)

Released: August 7, 1953.

[SEAL]

FEDERAL COMMUNICATIONS
COMMISSION,
WM. P MASSING,
Acting Secretary.

In § 2.104 (a) Table of frequency allocations:

1. In the band 2065-2105 kc amend the entries in columns 7 through 11 to read as follows:

7	8	9	10	11
2065-2105 (NG1, NG- 30).	Maritime Mobile.	Ship		Ship (to logra phy),

2. Add the following footnote at the bottom of the page:

NG30 The frequency band 2088.5-2093.5 kc is reserved exclusively for use by ship telegraph stations for calling purposes. Presently existing assignments to remote pickup stations in this band, however, may continue operation until February 1, 1954.

[F. R. Doc. 53-7179; Filed, Aug. 13, 1953; 8:52 a. m.]

[Docket No. 10212]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

TABLE OF FREQUENCY ALLOCATIONS

In the matter of amendment of Part 2 of the Commission's rules and regulations concerning the allocation of frequencies in the band 2035-2107 kg., Docket No. 10212.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 5th day of August 1953:

The Commission having under consideration its proposal in the above entitled matter and

It appearing, that in accordance with the requirements of section 4 (a) of the Administrative Procedure Act, notice of proposed rule making in this matter which made provision for the submission of written comments by interested parties, was duly published in the Federal Register on July 11, 1952 and that the period for the filing of comments has now expired and that no comments were filed in connection with this proceeding; and

It further appearing, that the effect of this proposal is to amend the table of frequency allocations so as to authorize future frequency assignments only in accordance with the Atlantic City Table of Frequency Allocations; and

It further appearing, that this amendment does not affect the status of existing frequency assignments in this band to remote pickup stations which are subject to the proceedings in Docket No. 10211 and which may be authorized to

use such existing frequencies until February 1, 1954, and

It further appearing, that the public interest, convenience, and necessity will be served by the amendment herein ordered, the authority for which is contained in section 303 (c) (f) and (r) of the Communications Act of 1934, as amended:

It is ordered, That, effective September 10, 1953, Part 2 of the Commission's rules and regulations is amended as set forth below.

(Sec. 303, 48 Stat. 1082, as amended; 47 U. S. C 303)

Released: August 7, 1953.

Federal Communications
Commission,
[SEAL] Wil P. Massing,
Acting Secretary.

Amend Part 2, rules governing Frequency Allocations and Treaty Matters by adding the frequency band 2035–2107-kc to footnote 2, § 2.104 (a) (3) as follows:

2035-2107 kc (Except for assignments to remote pickup stations, which may continue operation until February 1, 1954).

[F. R. Doc. 53-7180; Filed, Aug. 13, 1953; 8:52 a.m.]

[Docket No. 10546]

PART 6—PUBLIC RADIOCOMITUNICATION SERVICES (OTHER THAN MARITIME MOBILE)

ALLOCATION OF FREQUENCIES

In the matter of amendment of § 6.401 (a) and (b) of the rules and regulations with respect to the allocation of frequencies between 454-455 Mc. and between 459-460 Mc., Docket No. 10546.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 5th day of August 1953;

The Commission, having under consideration its notice of proposed rule-making herein, adopted June 17, 1953, wherein it was proposed to designate certain of the frequencies in the bands 454-455 Mc. and 459-460 Mc. for assignment to communication common carriers who are in the business of affording public land-line message telephone service, and to designate other frequencies for assignment to common carriers who are not so engaged; and

It appearing, that only one comment on the proposed rule-making has been filed, and that such comment favors the adoption of the proposal; and

It further appearing, that authority for the adoption of the proposed rule amendment is contained in sections 4 (i) and 303 (a) (b) (c) and (r) of the Communications Act of 1934, as amended:

It is ordered, That effective September 10, 1953, § 6.401 (a) of the Commission's rules and regulations is amended by addition of the following pairs of frequencies therein:

Base	station frc-	Mobile station, aux iliary test station or subscriber fixed station frequencie
qu	encies (Mc.)	(Mc.)
-	454.45	459.45
	454.55	459.55
	454.65	459.65
	454.75	459,75
	454.85	459.25
	454.95	459,95

and § 6,401 (b) of the Commission's rules and regulations is amended by addition of the following pairs of frequencies therein:

Base station frequencies (Mc.)	Mobile station, auxili- ary test station, or subscriber fixed station frequencies (Mc.)
454.05	459.05
454.15	459.15
454.25	459.25
454.35	459.35

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 43 Stat. 1082, as amended; 47 U. S. C. 303)

Released: August 7, 1953.

Federal Communications
Commission,
[Seal] W. P. Massing,
Acting Secretary.

[F. R. Doc. 53-7178; Filed, Aug. 13, 1953; 8:52 a.m.]

[Docket No. 10545]

PART 19—CITIZEN'S RADIO SERVICE

ELISSION LIMITATIONS

In the matter of amendment of Part 19 of the Commission's rules and regulations governing the Citizens Radio Service: Docket No. 10545.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 5th day of August 1953;

The Commission having under consideration its notice of proposed rule making in the above entitled matter adopted June 17, 1953, which would relax the technical requirements relating to attenuation of harmonic and other spurious emissions outside the 460-470 Mc band for Class A and Class B station transmitting equipment operated at 3 watts or less plate input power to the final radio stage;

It appearing, that in accordance with the requirement of section 4 (a) of the Administrative Procedures Act, general notice of proposed rule making in the above entitled matter was duly published in the Federal Register on June 25, 1953; and

It further appearing, that the period in which interested persons were afforded an opportunity to submit comments expired on July 17, 1953, and that all comments filed favored the adoption of the proposed amendments; and

It further appearing, that the public interest, convenience, and necessity will be served by the adoption of the amendments as proposed and that authority therefor is contained in sections 4 (1), 303 (e) (f), (g), and (r) of the Communications Act of 1934, as amended;

It is ordered, That effective September 15, 1953, § 19.34 of the rules governing

the Citizens Radio Service is amended to read as est forth below.

(Sec. 4, 49 Stat. 1609, co amended; 47 U. S. C. 164. Interpreto or applico cec. 363, 43 Stat. 1602, ao amended; 47 U. S. C. 363)

Released: August 7, 1953.

FEDERAL COLUMNICATIONS COLUMNSSION,

[SEAL] Wil. P. Massing, Acting Secretary.

Section 19.34 (b) is amended to read as follows:

§ 19.34 Emission limitations. * * *
(b) Harmonic and other spurious emissions from a transmitter in this service shall not exceed the following limits:

(1) Class A and Class B stations: Any harmonic or other suprious emission appearing on any frequency outside the 460–470 Mc band shall be attentuated below the unmodulated carrier by not less than the amount indicated below.

Maximum plate power input	
to the final radio fre-	Attenuation
quency stage:	(db)
Over 3 watts	
3 watts or less	140

² Except as provided below.

In the case of Class E stations having a maximum plate power input to the final radio frequency stage of 3 watts or less, any emission appearing on any frequency that falls within a band allocated to Industrial, Scientific and Medical equipment under the provisions of Part 2 of the Commission's rules shall be attenuated below the unmodulated carrier by not less than 30 db.

(2) Class C stations: Any harmonic or other spurious emission appearing on any frequency removed 25 kc or more from the frequency 27.255 Mc shall be attenuated below the unmodulated carrier by not less than 40 db.

[F. R. Dre. 53-7181; Filed, Aug. 13, 1953; 8:53 a.m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[Order 10A; Docket 3666]

PARTS 71-78—EXPLOSIVES AND OTHER DANGEROUS ARTICLES

REVOCATION OF CERTAIN PROVISIONS RE-GARDING MARKING ON MOTOR VEHICLES AND TRAILERS OTHER THAN TANK MOTOR VEHICLES

In the matter of regulations for the transportation of explosives and other dangerous articles.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of August 1953.

It appearing, that pursuant to the Transportation of Explosives Act of March 4, 1921 (41 Stat. 1444) sections 831-835 of Title 18 of the United States Code approved June 25, 1948, and Part II of the Interstate Commerce Act, as amended, the Commission has heretofore formulated and published certain regulations for the transportation of explosives and other dangerous articles.

It further appearing, that upon reconsideration of the proposed amend-

ments to paragraphs (a) (1) to (6) inclusive of § 77.823 of the aforesaid regulations it is desirable to defer the effective date of these proposed amendments, until further order of the Commission, and to retain the former provisions pending subsequent amendment.

It is ordered, That, the aforesaid regulations for the transportation of explosives and other dangerous articles be, and they are hereby, amended, as follows:

Revoke § 77.823 (a) (1) to (6) inclusive as published in Order No. 10 approved on the 14th day of May 1953.

It is further ordered that the foregoing amendment shall have full force and effect on August 11, 1953.

And it is further ordered, That copies of this order be served upon all parties of record herein, and that notice shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 204, 49 Stat: 546, as amended, sec. 835, 62 Stat. 739; 49 U. S. C. 304, 18 U. S. C. 835)

By the Commission, Division 3.

[SEAL]

GEORGE W LAIRD,

Acting Secretary.

[F. R. Doc. 53-7162; Filed, Aug. 13, 1953; 8:49 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Servico, Department of the Interior

PART 17-LIST OF AREAS

NATIONAL WILDLIFE REFUGES

EDITORIAL NOTE: For order affecting the tabulation in § 17.3, see Public Land Order 912 in the Appendix to Title 43, Chapter I, supra, revoking Executive Order 5122 of May 18, 1929, which order reserved lands of the United States in Montana for the Fort Keogh Bird Refuge, now the Fort Keogh National Wildlife Refuge.

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Entomology and Plant Quarantine

[7 CFR Part 301]

GYPSY MOTH AND BROWN-TAIL MOTH

ADMINISTRATIVE INSTRUCTIONS EXEMPTING CERTAIN ARTICLES FROM REQUIREMENTS OF REGULATIONS

Notice is hereby given under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that the Chief of the Bureau of Entomology and Plant Quarantine, pursuant to the authority conferred upon him by the second proviso of the gypsy moth and brown-tail moth quarantine, as amended (7 CFR Supp. 301.45) under section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161) is considering amending the administrative instructions exempting certain articles from the requirements of the regulations supplemental to said quarantine (7 CFR Supp. 301.45a) to read as follows:

- § 301.45a Administrative instructions exempting certain articles from requirements of regulations. (a) The following articles, the interstate movement of which is not considered to constitute a risk of gypsy moth or brown-tail moth dissemination, are hereby exempted from the requirements of the regulations supplemental to the gypsy moth and browntail moth quarantine (7 CFR 301.45-1 et seq., as amended) under such conditions as are specified.
 - (1) Timber products.
- (i) Manufactured wood products, such as box shooks, laths, shingles, flooring, dowels, staves, and furniture (other than outdoor) except industrial blocking and crating and industrial containers.
- (ii) Sawdust and wood flour. (iii) Wood and bark novelties, waxed, polished or otherwise treated.
 - (2) Plants and plant parts.
- (i) Plants:

Clubmoss ("ground pine") (Lycopodium

spp.).
Partridgeberry (Mitchalla repens). Trailing arbutus (Epigaea repens).

Wintergreen (Gaultheria procumbens, Pyrola spp.).

(ii) Woody plants and parts thereof that have been grown in the greenhouse through-out the year and when so labeled on the outside of each container.

(iii) Herbarium specimens, when dried and pressed, and when so labeled on outside

of each container.

(iv) Leaves of deciduous or evergreen trees that have been treated or dyed, and when so labeled on outside of each container.

(v) Seeds, fruits, and cones.

(iv) Cuttings:
Acacia (Acacia spp.).
Boxwood (Buxus sempervirens). California peper tree (Schinus molle).

Eucalyptus (Eucalyptus globulus). Evergreen smilax (Smilax lanceolata).

Galax (Galax aphylla). Heather (Erica spp., Calluna spp.) Mistletoe (Phoradendron fiavescens. Vis-

cum album, etc.).
Oregon cedar (Thuya plicata).
Oregon holly (Ilex aquifolium).
Oregon huckleberry (Vacccinium ovatum).
Salai (known to the trade as lemon cut-

tings) (Gaultheria shallon).

(vii) Tip cuttings of deciduous plants without leaves or blossoms, or tip cuttings of evergreen plants, when not more than 12 inches in length, and articles constructed of such tip cuttings, such as wreaths, sprays,

(3) Stone and quarry products.

(i) Stone and quarry products when processed by crushing, grinding or pulverizing.

(ii) Feldspar, granite, marble, mica, quartz, or slate, moving directly to destination from quarries, mines, and premises of manufacturers and dealers, found upon inspection to be uninfested by the gypsy moth and so designated by the Chief of the Bureau of Entomology and Plant Quarantine, provided the shipper's name and address is clearly indicated on shipping tags and all other transportation papers. A list of such designated quarries, mines, manufacturers, and dealers will be made available to Federal and State regulatory officials.

(b) The following articles are subject to such inspection as the inspector may require, but unless found by him to be infested such articles shall be exempted from the requirements of the regulations supplemental to the quarantine. If the inspector finds any such article infested he shall notify, in writing, the shipper or his agent, and the agent of the common carrier who customarily receives such article for shipment, of the existence of the infestation and the extent thereof, and thereafter, while the infestation persists, such article shall be subject to all of the requirements of said regulations.

- (1) Timber products.
- (i) New industrial blocking and crating, and industrial containers free of bark.
- (ii) Lumber that has been (a) dressed four sides and ends clipped, or (b) square edged sawed four sides and freed from surface bark, or (c) kiln dried, when such lumber is shipped direct from planer, log tumber is snipped direct from planer, for saw, or kiln, and when waybills or other transportation papers are labeled to show that the lumber was so processed and is being so shipped.

(iii) Shavings, excelsior, and cedar bedding.

(c) The interstate movement of pulpwood from the generally infested area to a pulp mill in the supressive area or from the regulated area to a pulp mill in' a contiguous nonregulated area is hereby exempted from the requirements of tho regulations supplemental to the quarantine, if such mill has entered into a written agreement with the Bureau of Entomology and Plant Quarantine to apply such treatments and to maintain such sanitation safeguards as will, in the judgment of the inspector, prevent the establishment of gypsy moth infestation on or surrounding the mill premises, and if such mill has been designated and approved by the Chief of the Bureau of Entomology and Plant Quarantine to receive such pulpwood.

The principal purpose of the proposed amendment of the administrative instructions is to exempt, under certain conditions, pulpwood from the requirements of the regulations supplemental to the gypsy moth and brown-tail moth quarantine (7 CFR 301.45 et seq., as amended) The proposed amendment also makes wood shavings, excelsior, cedar bedding, and certain types of crating, containers, and lumber subject to inspection but exempts such articles from the requirements of the regulations unless an inspection of such articles shows them to be infested. Other proposed changes in the instructions impose certain conditions upon the exemption of certain articles, delete scions and outdoor furniture from the list of exempted articles, and more specifically identify certain exempted articles.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Chief of the Bureau of Entomology and Plant Quarantine, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within 30 days after the date of the publication of this notice in the Federal Register.

(Sec. 8, 37 Stat. 318; 7 U. S. C. 161; 7 CFR Supp. 301.45)

Done at Washington, D. C., this 5th day of August 1953.

[SEAL] AVERY S. HOYT,

Chief, Bureau of Entomology

and Plant Quarantine.

[F. R. Doc. 53-7151; Filed, Aug. 13, 1953; 8:47 a. m.]

Production and Marketing Administration

[7 CFR Part 940]

PEACHES GROWN IN THE COUNTY OF MESA IN COLORADO

EXPENSES AND FIXING OF RATE OF ASSESS-MENT FOR 1953-54 FISCAL YEAR

Consideration is being given to the following proposals which were submitted by the Administrative Committee, established under the marketing agreement, as amended, and Order No. 40, as amended (7 CFR Part 940) regulating the handling of peaches grown in the County of Mesa in the State of Colorado, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) as the agency to administer the terms and provisions thereof:

(a) That the Secretary of Agriculture find that expenses not to exceed \$5,040.00 are likely to be incurred by said committee during the fiscal year beginning March 1, 1953, and ending February 28, 1954, both dates inclusive, for its maintenance and functioning under the aforesaid amended marketing agreement and order; and

(b) That the Secretary of Agriculture fix, as the pro rata share of such expenses which each handler, who first handles peaches, shall pay in accordance with the provisions of the aforesaid amended marketing agreement and order during the aforesaid fiscal year, the rate of assessment at \$0.007 per bushel basket of peaches, or its equivalent of peaches in other containers or in bulk, shipped by such handler during said fiscal year.

All persons who desire to submit written data, views, or arguments for consideration in connection with the aforesaid proposals may do so by mailing the same to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, Room 2077, South Building, Washington 25, D. C., not later

than the 10th day after the publication of this notice in the FEDERAL REGISTER.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued this 11th day of August 1953.

[SEAL] S. R. SINTH,
Director Fruit and Vegetable,
Branch, Production and Marketing Administration.

[F. R. Doc. 53-7183; Filed, Aug. 13, 1953; 8:53 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 2]

[Docket No. 10624]

FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS

ALLOCATION OF FREQUENCIES IN BANDS
ALLOCATED EXCLUSIVELY TO FIXED
SERVICE

In the matter of amendment of Part 2 of the Commission's rules and regulations concerning the allocation of frequencies in the bands allocated exclusively to the Fixed Service by the Atlantic City Treaty (1947), Docket No. 10624.

1. Notice is hereby given of proposed rule making in the above entitled matter.

2. The proposed amendment to the rules is intended as a part of the Commission's plan for bringing into force the International Radio Regulations (Atlantic City 1947) in accordance with the Agreement concluded at the Extraordinary Administrative Radio Conference (Geneva 1951).

3. The Atlantic City Treaty (1947) allocates the frequency bands 4000-4063 kc, 5060-5250 kc, 5730-5950 kc, 6765-7000 kc, 7300-8195 kc, 9040-9500 kc, 9775-9995 kc, 10100-11175 kc, 11400-11700 kc, 11975-12330 kc, 13360-14000 kc, 14350-14990 kc, 15450-16460 kc, 17360-17700 kc and 18030-19990 kc exclusively to the Fixed Service on a world-wide basis. The Commission proposes to amend its rules so that commencing November 15, 1953, assignments in the aforementioned bands will be permitted only in accordance with the Atlantic City Table of Frequency Allocations. Accordingly, § 2.104 (a) of Part 2 of the Commission's rules is herewith proposed to be amended to provide that commencing November 15, 1953, frequencies in the aforementioned bands will be available for use only by stations in the Fixed Service in accordance with the Atlantic City Table of Frequency Allocations.

4. The proposed amendment to the rules is issued pursuant to the authority of sections 303 (c), (f) and (r) of the Communications Act of 1934, as amended, the Final Acts of the International Telecommunication Radio Conference (Atlantic City 1947) and the

Agreement concluded at the Extraordinary Administrative Radio Conference (Geneva 1951) Existing assignments in the foregoing bands may continue in force until such time as formal proceedings are instituted and consummated for their deletion.

5. Any interested party who is of the opinion that the proposed amendment should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before September 30, 1953, a written statement or brief setting forth his comments. Replies to such comments may be filed within ten days from the last date for filing the original comments. The Commission will consider all comments and briefs presented before taking final action in the matter.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, brief or comments filed shall be furnished the Commission.

Adopted: August 5, 1953.

Released: August 7, 1953.

FEDERAL COMMUNICATIONS COMMUSSION.

[SEAL] W. P. MASSING,

Acting Secretary.

[F. R. Doc. 53-7172; Filed Aug. 13, 1953; 8:51 a.m.]

[47 CFR Part 2]

[Docket No. 10625]

FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS

ALLOCATION OF FREQUENCIES IN EARLIS ALLOCATED EXCLUSIVELY TO HIGH FRE-QUENCY BROADCAST SERVICE

In the matter of amendment of Part 2 of the Commission's rules and regulations concerning the allocation of frequencies in the bands 5950–6200 kc, 9500–9775 kc, 11700–11975 kc, 15100–15450 kc and 17700–17900 kc; Docket No. 10625.

1. Notice is hereby given of proposed rule making in the above entitled matter.

2. The proposed amendment to the rules is intended as a part of the Commission's plan for bringing into force the International Radio Regulations (Atlantic City 1947) in accordance with the Agreement concluded at the Extraordinary Administrative Radio Conference (Ganeva 1951)

3. The Atlantic City Treaty (1947) allocates the frequency bands 5950-6200 ke, 9500-9775 kc, 11,700-11,975 ke, 15,100-15,450 ke and 17,700-17,900ke on a worldwide basis exclusively to the High Frequency Broadcasting service. The Commission proposes to amend its rules so that commencing November 15, 1953 new assignments in the aforementioned bands will be permitted only in accordance with the Atlantic City Table of Accordingly, Frequency Allocations. § 2.104 (a) of Part 2 of the Commission's rules is herewith proposed to be amended to provide that, commencing November 15, 1953, frequencies in the aforementioned bands will be available for use only to stations in the High Frequency

Broadcasting Service in accordance with the Atlantic City Table of Frequency Allocations.

- 4. The proposed amendment to the rules is issued pursuant to the authority of sections 303 (c) (f) and (r) of the Communications Act of 1934, as amended, the Final Acts of the International Telecommunication Radio Conference (Atlantic City 1947) and the Agreement concluded at the Extraordinary Administrative Radio Conference (Geneva 1951) Existing assignments in the foregoing bands may continue in force until such time as formal proceedings are instituted and consummated for their deletion,
- 5. Any interested party who is of the opinion that the proposed amendment should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before September 30, 1953, a written statement or brief setting forth his comments. Replies to such comments may be filed within ten days from the last date for filing the original comments. The Commission will consider all comments and briefs presented before taking final action in the matter.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, brief or comments filed shall be furnished the Commission.

Adopted: August 5, 1953. Released: August 7, 1953.

[SEAL]

Federal Communications Commission, W. P. Massing, Acting Secretary.

[F. R. Doc. 53-7173; Filed, Aug. 13, 1953; 8:51 a. m.]

I 47 CFR Part 21

[Docket No.10626]

FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS

ALLOCATION OF FREQUENCIES IN BANDS AL-LOCATED EXCLUSIVELY AS COAST RADIO-TELEPHONE BANDS

In the matter of amendment of part 2 of the Commission's rules and regulations concerning the allocation of frequencies in the bands 4368-4438 kc, 8745-8815 kc, 13130-13200 kc and 17290-17360 kc; docket No. 10626.

1. Notice is hereby given of proposed rule making in the above entitled matter.

- 2. The proposed amendment to the rules is intended as a part of the Commission's plan for bringing into force the International' Radio Regulations (Atlantic City 1947) in accordance with the Agreement concluded at the Extraordinary Administrative Radio Conference (Geneva 1951)
- 3. The Atlantic City Treaty (1947) allocates the frequency bands 4368-4438 kc, 8745-8815 kc, 13130-13200 kc and 17290-17360 kc exclusively as Coast Radiotelephone bands. The EARC Agreement concluded at Geneva in 1951 provides that these bands shall be

brought into use as soon as possible after Ship stations have commenced to move into the EARC Ship Radiotelephone bands. The date of March 1, 1955 has been set for the bringing into use of the Ship Radiotelephone bands. The Commission proposes to amend its rules so that commencing November 15, 1953 new assignments in the aforementioned bands will be permitted only in accordance with the Atlantic City Table of Accordingly, Frequency Allocations. § 2.104 (a) of Part 2 of the Commission's rules is herewith proposed to be amended to provide that, commencing November 15, 1953, frequencies in the aforementioned bands will be available for use only as Coast Radiotelephone frequencies in accordance with the Atlantic City Table of Frequency Allocations.

4. The proposed amendment to the rules is issued pursuant to the authority of sections 303 (c) (f) and (r) of the Communications Act of 1934, as amended, the Final Acts of the International Telecommunication Radio Conference (Atlantic City 1947) and the Agreement-concluded at the Extraordinary Administrative Radio Conference (Geneva 1951) Existing assignments in the foregoing bands may continue in force until such time as formal proceedings are instituted and consummated for their deletion.

5. Any interested party who is of the opinion that the proposed amendment should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before September 30, 1953, a written statement or brief setting forth his comments. Replies to such comments may be filed within ten days from the last date for filing the original comments. The Commission will consider all comments and briefs presented before taking final action in the matter.

6. In accordance with the provisions of .§ 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, brief or comments filed shall be furnished the Commission.

Adopted: August 5, 1953.

Released: August 7, 1953.

[SEAL]

FEDERAL COMMUNICATIONS
COMMISSION,
WM. P MASSING,
Acting Secretary.

[F. R. Doc. 53-7174; Filed, Aug. 13, 1953; 8: 51 a. m.]

[47 CFR Part 2]

[Docket No. 10627]

Frequency Allocations and Radio
TREATY MATTERS

ALLOCATION OF FREQUENCIES IN BANDS
ALLOCATED EXCLUSIVELY AS PASSENGER
SHIP WORKING BANDS

In the matter of amendment of Part 2 of the Commission's rules and regulations concerning the allocation of frequencies in the bands 4133-4177 kc, 6200-6265.5 kc, 8265-8354 kc, 12400-

12531 kc and 16530-16708 kc. Docket No. 10627.

1. Notice is hereby given of proposed rule making in the above entitled matter.

- 2. The proposed amendment to the rules is intended as a part of the Commission's plan for bringing into force the International Radio Regulations (Atlantic City 1947) in accordance with the Agreement concluded at the Extraordinary Administrative Radio Conference (Geneva 1951)
- 3. The Atlantic City Treaty (1947) allocates the frequency bands 4133-4177 kc, 6200-6265.5 kc, 8265-8354 kc, 12400-12531 kc and 16530-16708 kc exclusively as Passenger Ship working bands. The EARC Agreement concluded at Geneva in 1951 provides that these bands shall be brought into use within six months of the date after which the Cargo Ship Working bands are brought into use. The date of March 1, 1954, has been set for the bringing into use of the Cargo Ship Working bands. Therefore, in accordance with the terms of the EARC Agreement, the Commission proposes to amend its rules so that commencing November 15, 1953, new assignments in the aforementioned bands will be permitted only in accordance with the Atlantic City Table of Frequency Allocations. Accordingly, § 2.104 (a) of Part 2 of the Commission's rules is herewith proposed to be amended to provide that, commencing November 15, 1953, frequencies in the aforementioned bands will be available for use only as Passenger Ship Working frequencies in accordance with the Atlantic City Table of Frequency Allocations.
- 4. The proposed amendment to the rules is issued pursuant to the authority of sections 303 (c), (f) and (r) of the Communications Act of 1934, as amended, the Final Acts of the International Telecommunication Radio Conference (Atlantic City 1947) and the Agreement concluded at the Extraordinary Administrative Radio Conference (Geneva 1951)
- 55. Any interested party who is of the opinion that the proposed amendment should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before September 30, 1953, a written statement-or brief setting forth his comments. Replies to such comments may be filed within ten days from the last date for filing the original comments, The Commission will consider all comments and briefs presented before taking final action in the matter.
- 6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, brief or comments shall be furnished the Commission.

Adopted: August 5, 1953.

Released: August 7, 1953.

FEDERAL COMMUNICATIONS
COMMISSION,
WM. P MASSING.

[SEAL] WM. P MASSING,
Acting Secretary.

.[F. R. Doc. 53-7175; Filed Aug. 13, 1953; 8:51 a. m.]

I 47 CFR Part 2 I

[Docket No. 10628]

FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS

ALLOCATION OF FREQUENCIES IN BANDS ALLOCATED EXCLUSIVELY AS SHIP RADIO-TELEPHONE BANDS

In the matter of amendment of Part 2 of the Commission's rules and regulations concerning the allocation of frequencies in the bands 4063-4133 kc, 8195-8265 kc, 12330-12400 kc and 16460-16530 kc., Docket No. 10628.

1. Notice is hereby given of proposed rule making in the above entitled matter.

- 2. The proposed amendment to the rules is intended as a part of the Commission's plan for bringing into force the International Radio Regulations (Atlantic City 1947) in accordance with the Agreement concluded at the Extraordinary Administrative Radio Conference (Geneva 1951).
- 3. The Atlantic City Treaty (1947) allocates the frequency bands 4063-4133 kc, 8195-8265 kc, 12330-12400 kc and 16460-16530 kc exclusively as Ship Radiotelephone bands. The EARC Agreement concluded at Geneva in 1951 provides that these bands shall be brought into use within six months of the date after which the Passenger Ship Working bands are brought into use. The date of September 1, 1954 has been set for the bringing into use of the Passenger Ship Working bands. Therefore, in accordance with terms of the EARC Agreement, the Commission proposes to amend its rules so that commencing November 15, 1953 new assignments in the aforementioned bands will be permitted only in accordance with the Atlantic City Table of Frequency Allocations. Accordingly, § 2.104 (a) of Part 2 of the Commission's rules is herewith proposed to be amended to provide that, commencing November 15, 1953, frequencies in the aforementioned bands will be available for use only as Ship Radiotelephone frequencies in accordance with the Atlantic City Table of Frequency Allocations.
- 4. The proposed amendment to the rules is issued pursuant to the authority of sections 303 (c) (f) and (r) of the Communications Act of 1934, as amended. the Final Acts of the International Telecommunication Radio Conference (Atlantic City 1947) and the Agreement concluded at the Extraordinary Administrative Radio Conference (Geneva 1951). Existing assignments in the foregoing bands may continue in force until such time as formal proceedings are instituted and consummated for their
- 5. Any interested party who is of the opinion that the proposed amendment should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before September 30, 1953, a written statement or brief setting forth his comments. Replies to such comments may be filed within ten days from the last date for filing the original comments. The Commission will consider all com-

ments and briefs presented before taking final action in the matter.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, brief or comments filed shall be furnished the Commission.

Adopted: August 5, 1953.

[SEAL]

Released: August 7, 1953.

FEDERAL COMMUNICATIONS COMMISSION. WIL P MASSING, Acting Secretary.

[F. R. Doc. 53-7176; Filed, Aug. 13, 1953; 8:52 a. m.l

147 CFR Part 3 I

[Docket No. 10637]

COLOR TELEVISION TRANSMISSIONS TECHNICAL SIGNAL SPECIFICATIONS

In the matter of amendment of the Commission's rules governing Color Television Transmissions; Docket No. 10637.

- 1. The Commission has before it for consideration several petitions requesting the Commission to institute rulemaking proceedings looking toward the adoption of new signal specifications for commercial color television broadcasting in place of the present rules. Petitions were filed by the Radio Corporation of America, and the National Broadcasting Company, Inc., jointly, on June 25, 1953, amended July 22, 1953; the National Television System Committee on July 22, 1953; the Philco Corporation, on July 23, 1953; Sylvania Electric Products, Inc., on July 24, 1953; the General Electric Company, on July 28, 1953; and Motorola, Inc., on July 30, 1953. All of the petitions propose the adoption of the signal specifications advanced by the National Television System Committee and which were formally adopted by that body on July 21, 1953.
- 2. The Commission's present rules for color television transmissions were adopted on October 10, 1950, following the proceedings in Docket 8736 et al., and the Commission's action was affirmed by the Supreme Court on May 23, 1951. On June 25, 1951, the Commission announced that television stations were permitted to broadcast color programs in accordance with the new rules. However, color television broadcast equipment for the field sequential system is not now being produced, nor are color broadcasts in accordance with the present color rules being televised or contemplated.
- 3. When the Commission adopted rules for color television in 1950, it recognized and provided for the consideration of further experimentation and research in the field of color television. In a public notice (FCC 51-592) of June

11, 1951, the Commission pointed out that "In a field as relatively new as radio in general and television in particular, there is always room for genuine pro-grams of experimentation." In that notice the Commission stated, however, that in the interests of orderly procedure and stability, the following steps would be required of the proponents of new color systems:

(a) An appropriate petition must be filed requesting rule-making proceedings with respect to color television standards.

(b) Representative receiver apparatus must be delivered to the Commission's laboratory at Laurel, Maryland.

(c) A signal must be put on the air in Washington, D. C. for the purpose of demonstrating the system.

(d) The above tests must show to the Commission's satisfaction that the proposed system has a reasonable prospect of satisfying all of the criteria for a color television system set forth in the reports. These criteria are as follows:

(1) It must be capable of operating within a 6-megacycle channel allocation structure.

(2) It must be capable of producing a color picture which has a high quality of color fidelity, has adequate apparent definition, has good picture texture, and is not marred by such defects as mis-registration, line crawl, jitter or unduly prominent dot or other structure.

(3) The color picture must be sufficlently bright so as to permit an adequate contrast range and so as to be capable of being viewed under normal home conditions without objectionable

flicker.

(4) It must be capable of operating through receiver apparatus that is simple to operate in the home, does not have critical registration or color controls, and is cheap enough in price to be available to the great mass of the American purchasing public.

(5) It must be capable of operating through apparatus at the station that is technically within the competence of the type of trained personnel hired by a station owner who does not have an extensive research or engineering staff at his disposal and the costs of purchase, operation, and maintenance of such equipment must not be so high as unduly to restrict the class of persons who can afford to operate a television station.

(6) It must not be unduly susceptible to interference as compared with the present monochrome system.

(7) It must be capable of transmitting color programs over inter-city relay facilities presently in existence or which may be developed in the foreseeable

4. The field sequential system adopted by the Commission in its prior proceeding is "incompatible" in the sense that black and white sets existing at that time could not receive color transmissions in monochrome without adaptation. While adopting this system, the Commission stated in its color report that if a satisfactory compatible color system had been available at that time. it would certainly have been desirable to adopt it. In 1950 the Board of Directors of the Radio-Television Manufacturers Association directed the Na-

The National Television System Committee is a voluntary accordation of engineers and scientists interested in development of television, and its members include representatives of the other petitioners as well as many of the companies engaged in the man-ufacture of television equipment.

tional Television System Committee to conduct necessary studies and experimentation to develop new and compatible color television signal specifications. The Commission has been kept advised of the progress of NTSC in this field by means of various reports submitted to the Commission and by attendance at demonstrations. Numerous authorizations for on-the-air experimentation have been granted.

5. The petitioners now request that the Commission institute rule-making proceedings looking toward the adoption of new rules for color television. The question is presented whether petitioners have taken the necessary steps provided by the Commission for this purpose:

(a) The first requirement specified is the filing of a proper petition. This has been met by petitioners.

- (b) The second requirement is the delivery of representative receiver apparatus to the Commission's laboratory at Laurel, Maryland. The NTSC represents that it will cooperate with the Commission in forwarding representative receiver apparatus to the Commission's laboratory at Laurel. All of the other petitioners, who are receiver manufacturers, have either already delivered such apparatus to the Laurel laboratory or have indicated their willingness and intent to do so.
- (c) The third requirement is a signal on the air in Washington, D. C. for the purpose of demonstrating the system. None of the petitioners proposes to put a signal on the air in Washington at this time, either because they lack the facilities to do so or for other reasons: and waiver of this requirement is requested. NTSC does, however, express its intent to cooperate with the Commission in arranging demonstrations, and the other petitioners all indicate their willingness and intent to conduct and participate in demonstrations and tests. In light of petitioners' representations, our study and review of the signal specifications proposed, and our observation of various earlier demonstrations and field testing of the proposed signal specifications, we are of the view that it is not necessary that a signal be put on the air in Washington prior to the institution of rulemaking proceedings. The Commission will determine at a later date whether during the course of the proceedings a signal on the air in Washington will be required.
- (d) Finally, it is required that petitioners demonstrate to the Commission's satisfaction that the proposed system has a reasonable prospect of satisfying all of the criteria specified above for judging a proposed new color television system. Upon our review of all of the petitions and the data submitted therewith, our study and review of the pro-posed signal specifications, and our observation of earlier demonstrations and field tests, we are of the view that petitioners have made the required showing that the proposed system has a reasonable prospect of satisfying the listed criteria to the extent necessary for theinstitution of rule-making proceedings.
- 6. In view of the foregoing, the Commission is of the view that rule-making

proceedings should be instituted looking toward the adoption of new rules for color television transmissions. Accordingly, notice is hereby given of proposed rule making in the above-entitled mat-The signal specifications for color television which petitioners propose that the Commission adopt are set out below.

- 7. Any interested party who is of the view that the signal specifications proposed by petitioners should not be adopted, or should not be adopted in the form set out, may file with the Commission on or before September 8, 1953, written comments setting out data, views and arguments. Written comments in support of the signal specifications as proposed may also be filed by the same date. Written comments in reply to the original comments may be filed within 15 days from the last day for filing the said original comments. An original and 25 copies of any written comments should be filed. The subject petitions of NTSC, Radio Corporation of America and National Broadcasting Company, Inc.; Philco Corporation; Sylvama Electric Products, Inc., General Electric Company, and Motorola, Inc. are incorporated as comments in this proceeding.
- 8. Authority for the adoption of the standards as proposed is contained in section 303 (b) (e) and (g) of the Communications Act of 1934, as amended.
- 9. The Commission will specify in subsequent notices the time and nature of demonstrations and tests, and such further proceedings as may be necessary.

Adopted: August 6, 1953, Released: August 7, 1953.

> FEDERAL COMMUNICATIONS COMMISSION.

SEAL?

WM. P MASSING, Acting Secretary.

PROPOSED COLOR TELEVISION; TECHNICAL SIGNAL SPECIFICATIONS

I. GENERAL SPECIFICATIONS

- A. Channel. The color television signal and its accompanying sound signal shall be transmitted within a 6 megacycle channel.
- B. Picture signal frequency. The picture signal carrier, nominally 1.25 Mc above the lower boundary of the channel, shall conform to the frequency assigned by the Federal Communications Commission for the particular station.

C. Polarization. The radiated signals

- shall be horizontally polarized.

 D. Vestigial sideband transmission. Vestigial sideband transmission in accordance with Figure 21 shall be employed.
- E. Aspect ratio. The aspect ratio of the scanned image shall be four units horizontally to three units vertically.
- F. Scanning and synchronization. 1. The color picture signal shall correspond to the scanning of the image at uniform velocities from left to right and from top to bottom with 525 lines per frame interlaced 2:1.

- 2. The horizontal scanning frequency shall be 3455 times the color subcarrier frequency; this corresponds nominally to 15,750 cycles per second (with an actual value of 15,734.264±0.047 cycles per second) The vertical scanning frequency is %25 times the horizontal scanning frequency this corresponds nominally to 60 cycles per second (the actual value is 59.94 cycles per second)
- 3. The color television signal shall consist of color picture signals and synchronizing signals, transmitted successively and in different amplitude ranges except where the chrominance penetrates the synchronizing region, and the burst penetrates the picture region.

4. The horizontal, vertical, and color synchronizing signals shall be those specified in Figure 1,1 as modified by vestigial sideband transmission specified in Figure 2 and by the delay characteristic speci-

fied in III.B.

G. Out-of-channel radiation. field strength measured at any frequency beyond the limits of the assigned channel shall be at least 60 db below the peak picture level.

II. SOUND

- A. Sound signal frequency. The frequency of the unmodulated sound carrier shall be 4.5 Mc ±1000 cycles above the frequency actually in use for the picture carrier.
- B. Sound signal characteristics. The sound transmission shall be by frequency modulation, with maximum deviation of ±25 kilocycles, and with pre-emphasis in accordance with a 75 microsecond time constant.
- C. Power ratio, The effective radiated power of the aural-signal transmitter shall be not less than 50 percent nor more than 70 percent of the peak power of the visual signal transmitter.

III. THE COMPLETE COLOR PICTURE SIGNAL

A. General specifications. The color picture signal shall correspond to a luminance (brightness)' component transmitted as amplitude modulation of the picture carrier and a simultaneous pair of chrominance (coloring) components transmitted as the amplitude modulation sidebands of a pair of suppressed subcarriers in quadrature having the common frequency relative to the picture carrier of +3.579545 Mc ±0.0003 percent with a maximum rate of change not to exceed 1/10 cycle per sec per sec.

B. Delay specification. A sine wave, introduced at those terminals of the transmitter which are normally fed the color picture signal, shall produce a radiated signal having an envelope delay, relative to the average envelope delay between 0:05 and 0.20 Mc, of zero microseconds up to a frequency of 3.0 Mc: and then linearly decreasing to 4.18 Mc so as to be equal to -0.17 µsecs at 3.58 The tolerance on the envelope delay shall be $\pm 0.05 \,\mu \text{secs}$ at 3.58 Mc. The tolerance shall increase linearly to ±0.1 μsec , down to 2.1 Mc. and remain at ± 0.1 μsec down to 0.2 Mc. The tolerance shall also increase linearly to $\pm 0.1~\mu sec$ at 4.18 Mc.

¹ Figures 1, 2, and 3 were filed as part of the original document. Copies may be obtained from the Federal Communications Commission.

² Tolerances for the interval of 0.0 to 0.2 Mc should not be specified in the present state of the art.

C. The lummance component. 1. An increase in initial light intensity shall correspond to a decrease in the amplitude of the carrier envelope (negative modulation)

2. The blanking level shall be at (75±2.5) percent of the peak amplitude of the carrier envelope. The reference white (luminance) level shall be (12.5±2.5) percent of the peak carrier amplitude. The reference black level shall be separated from the blanking level by the

setup interval, which shall be (7.5\(\preceq\)2.5) percent of the video range from the blanking level to the reference white level.

3. The overall attenuation versus frequency of the luminance signal shall not exceed the value specified by the FCC for black and white transmission.

D. Equation of complete color signal.

1. The color picture signal has the following composition:

$$E_{LI}'=E_Y+\{E_Q \sin (\varpi t+33^\circ)+E_I \cos (\varpi t+33^\circ)\}$$

where

$$E_{Q}' = 0.41 \ (E_B - E_{Y}') + 0.48 \ (E_R - E_{Y}')$$

$$E_I' = -0.27 (E_B - E_{Y'}) + 0.74 (E_R - E_{Y'})$$

$$E_{Y}' = 0.30 E_{R} + 0.59 E_{G} + 0.11 E_{B}$$

The phase reference in the above equation is the phase of the (color burst + 180°), as shown in figure 3. The burst corresponds to amplitude modulation of a continuous sine

Nores: For color-difference frequencies below 500 Kc, the signal can be represented by

$$E_{ZI} = E_{Y} - \left\{ \frac{1}{1.14} \left[\frac{1}{1.78} (E_{B} - E_{Y}') \sin ct + (E_{R} - E_{Y}') \cos ct \right] \right\}$$

In these expressions the symbols have the following significance:

E_{II} is the total video voltage, corresponding to the scanning of a particular picture element, applied to the modulator of the picture transmitter.

 $E_{\rm Y}$ is the gamma-corrected voltage of the monochrome (black-and-white) portion of the color picture signal, corresponding to the given picture element.³

 E_E E_G and E_B are the gamma-corrected voltages corresponding to red, green, and blue signals during the scanning of the given picture element.

The gamma corrected voltages $E_{\rm R}$ $E_{\rm G}$ and $E_{\rm B}$ are suitable for a color picture tube having primary colors with the following chromaticities in the CIE system of speci-

and having a transfer gradient (gamma exponent) of 2.24 associated with each primary color. The voltages E_R , E_G and E_B may be respectively of the form $E_R 1/\gamma$, $E_G 1/\gamma$, although other forms may be used with advances in the state of the art.

 E_Q and E_I are the amplitudes of two orthogonal components of the chrominance signal corresponding respectively to narrowband and wide-band axes, as specified in paragraph D.5.

The angular frequency ω is 2 π times the frequency of the chrominance subsarrier.

The portion of each expression between brackets represents the chrominance subcarrier signal which carries the chrominance information.

2. The chrominance signal is so proportioned that it vanishes for the chromaticity of CIE illuminant C (x=0.310, y=0.316).

3. $E_{\rm F}'$, $E_{\rm G}'$ $E_{\rm I}'$ and the components of these signals shall match each other in time to 0.05 $\mu{\rm secs}$.

4. A sine wave of 3.58 Mc introduced at those terminals of the transmitter which are normally fed the color picture signal shall produce a radiated signal having an amplitude, (as measured with a diode on the R. F. transmission line supplying power to the antenna) which is down (6 ± 2) db with respect to a radiated signal produced by a sine wave of 200 kc. In addition, the amplitude of the radiated signal shall not vary by more than ±2 db between the modulating frequencies of 2.1 and 4.18 Mc.

5. The equivalent bandwidths assigned prior to modulation to the color-difference signals $E_{Q'}$ and $E_{I'}$ are given by Table I.

TABLE I

Q-channel bandwidth

at 400 ke less than 2 db down at 500 ke less than 6 db down at 600 ke at least 6 db down

I-channel bandwidth

at 1.3 me less than 2 db down at 3.6 me at least 20 db down

6. The angles of the subcarrier measured with respect to the burst phase, when reproducing saturated primaries and their complements at 75 percent of full amplitude, shall be within ±10° and their amplitudes shall be within ±20 percent of the values specified above. The ratios of the measured amplitudes of the subcarrier to the luminance signal for the same saturated primaries and their complements shall fall between the limits of 0.8 and 1.2 of the values specified for their ratios. Closer tolerances may prove to be practicable and desirable with advance in the art.

[F. R. Doc. 53-7177; Filed, Aug. 13, 1953; 8:52 a. m.]

NOTICES

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 10486, 10487, 10488, 10601]

GEORGE A. SMITH, JR., ET AL.

ORDER CONTINUING HEARING

In re applications of George A. Smith, Jr., Dallas, Texas, Docket No. 10486, File No. 271–C2–P-53; application for construction permit for a station in the Domestic Public Land Mobile Radio Service; Dallas Electronics, Inc., Dallas, Texas, Docket No. 10487, File No. 576–C2–R-53; application for renewal of license

⁴At the present state of the art it is considered inadvisable to set a tolerance on the value of gamma and correspondingly this portion of the specification will not be enforced.

of Station KKE971 in the Domestic Public Land Mobile Radio Service; Dallas, Electronics, Inc., Dallas, Texas, Docket No. 10488, File No. 869-C2-P-53; application for construction permit to change location and increase power of Station KKE971, O. P Leonard, Jr., d/b as Trinity Dispatch Company, Fort Worth, Texas, Docket No. 10601, File Nos. 1169-C2-L-53, 1574-C2-ML-53; applications for licenses to cover construction permits in the Domestic Public Land Mobile Radio Service.

All participants having consented, hearing in the above-entitled proceeding is continued to 10:00 a.m., September 7, 1953.

Dated: August 7, 1953.

FEDERAL COMMUNICATIONS
COMMUSSION.

[SEAL]

Wm. P. Massing, Acting Secretary.

[F. R. Doc. 53-7164; Filed, Aug. 13, 1953; 8:49 a. m.]

[Docket Nos. 10814, 10815]

ERIC TELEVISION CORP., AND COMMODORE PERRY BROADCASTING

ORDER CONTRIVING HEARING

In re applications of Erie Television Corporation, Erie, Pennsylvania, Docket No. 10614, File No. BPCT-637; Commodore Perry Broadcasting Service, Inc., Erie, Pennsylvania, Docket No. 10615, File No. BPCT-1283; for construction permits for new television stations.

The Commission having under consideration the orders dated August 4, 1953, assigning Annie N. Hunting to preside at the hearing in the above-entitled matter, scheduled for 10:00 a.m., August 28, 1953, and also to preside at the hearing in the matter of Great Lakes Television Company and Civic Television, Inc., Dockets Nos. 10612 and 10613, scheduled for hearing at the same date and hour;

It appearing, that the orderly processes of administration will be served by post-

³Forming of the high frequency portion of the monochrome signal in a different manner is permissible and may in fact be desirable in order to improve the sharpness on saturated colors.

NOTICES 4864

poning the hearing in one of these proceedings to a later hour;

It is ordered, this 7th day of August 1953, on the Examiner's own motion, that the hearing in the above-entitled matter is postponed from 10:00 a. m., until 2:00 p. m., Friday, August 28, 1953.

> FEDERAL COMMUNICATIONS COMMISSION, WM. P MASSING, Acting Secretary.

[F. R. Doc. 53-7165; Filed, Aug. 13, 1953; 8:49 a. m.]

SEALI

[Docket No. 10630]

S. A. CISLER (KXXL)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of S. A. Cisler (KXXL) Monterey, California, Docket No. 10630, File No. BMP-6187; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on 5th day of August 1953:

The Commission having under consideration the above-entitled application for construction permit to increase power from 500 to 1,000 watts and to operate unlimited time with directional antennas: and

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate Station KXXL as proposed, that no interference would be caused to any existing or proposed station, but that the proposed operation will be limited at night to the 11.3 mv/m contour, whereas the normally protected contour for this class station (111-B) is the 4.0 mv/m contour and otherwise not comply with the Standards of Good Engineering Practice, particularly with reference to the excessive ratio of population lost within the normally protected contour to population served; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicant was advised by letter dated June 10, 1953, of the aforementioned deficiencies and that the Commission was unable to conclude that a grant of the application would be in the public interest; and

It further appearing, that the-applicant filed a reply on July 9, 1953; and

It further appearing, that the Commission, after consideration of the reply. is still unable to conclude that a grant would be in the public interest;

It is ordered, that, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the availability of other primary service to such areas and populations.

2. To determine whether the installation and operation of the proposed sta-

tion would be in compliance with the Commission rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to the excessive ratio of population lost within the normally protected contour to population served.

Released: August 10, 1953.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION, E WM. P MASSING, Acting Secretary.

[F. R. Doc. 53-7166; Filed, Aug. 13, 1953; 8:49 a. m.]

. [Docket No. 10631]

VOICE OF DIXIE, INC. (WVOK)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Voice of Dixie, Incorporated (WVOK), Birmingham, Alabama, Docket No. 10631, File No. BP-8548; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 5th day of August 1953;

The Commission having under consideration the above-entitled application for construction permit to make changes in the antenna system of Station WVOK, Birmingham, Alabama, operating on 690 kilocycles, 50 kilowatts, daytime only, using a directional antenna.

It appearing, that the applicant is legally technically, financially and otherwise qualified to operate the station as proposed, but that the application may involve interference with Station WWEZ and will involve radiations in the direction of the Canadian border which are in excess of those proposed in the agreement with Canada concerning daytime skywave interference.

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicant was advised by letter dated May 20, 1953, of the aforementioned deficiencies and that the Commission was unable to conclude that a grant of the application would be in the public interest; and

It further appearing, that the applicant has failed to reply to the Commission's letter; and

It further appearing, that, the Commission is still unable to conclude that a grant would be in the public interest, and moreover, is of the opinion that under section 316 of the Communications Act of 1934, as amended, a hearing is mandatory.

It is ordered, that, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the availablity of other primary service to such areas and populations.

2. To determine whether the operation of the proposed station would in-volve objectionable interference with Station WWEZ, and, if so, the nature and extent thereof, the areas and populations affected thereby, the availability of other primary service to such areas and populations, and the nature and character of the program service now being rendered to Station WWEZ to such areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine if the proposed operation would involve radiations in excess of those permitted under the proposed agreement with Canada concerning the assignment of Class II Standard Broadcast Stations to clear channels (Docket No. 10453.)

It is further ordered, that WWEZ Radio, Incorporated, licensee of Radio Station WWEZ, New Orleans, Louisiana, is made a party to this proceeding.

Peleased: August 10, 1953.

FEDERAL COMMUNICATIONS COMMISSION,

WM. P MASSING, [SEAL] Acting Secretary.

[F. R. Doc. 53-7167; Filed, Aug. 13, 1953; 8:50 a. m.]

[Docket Nos. 10632, 10633]

INDEPENDENCE , BROADCASTING Co. DELAWARE BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Independence Broadcasting Company, Wilmington, Delaware, Docket No. 10632, File No. BPCT-1701. Delaware Broadcasting Company, Wilmington, Delaware, Docket No. 10633, File No. BPCT-1712; for construction permits for new television broadcast stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 5th day of August 1953:

The Commission having under consideration the above-entitled applications. each requesting a construction permit for a new television broadcast station to operate on Channel 83 in Wilmington, Delaware; and

It appearing, that the above-entitled applications are mutually exclusive in that operation by more than one applicant would result in mutually destructive interference; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-'named'applicants were advised by letters dated June 23, 1953, and July 29, 1953, that their applications were mutually exclusive, that a hearing would be necessary, and that certain questions were raised as a result of deficiencies of a legal nature in their applications; and

It further appearing, that upon due consideration of the above-entitled applications, the amendments thereto, and

1

the reply to the above letters filed by Delaware Broadcasting Company (no reply having been received from Independence Broadcasting Company), the Commission finds that under section 309 (b) of the Communications Act of 1934. as amended, a hearing is mandatory; that Independence Broadcasting Company is financially and technically qualified to construct, own and operate a television broadcast station, and is legally so qualified except as to the matters re-ferred to in issue "1" below; and that Delaware Broadcasting Company is legally, financially and technically qualified to construct, own and operate a television broadcast station;

It is ordered, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding to commence at 10:00 a. m. on September 4, 1953, in Washington, D. C., upon the following issues:

1. To determine whether Independence Broadcasting Company is authorized to construct, own and operate a television broadcast station in Wilmington, Delaware.

2. To determine on a comparative basis which of the operations proposed in the above-entitled applications would better serve the public interest, convenience and necessity in the light of the record made with respect to the significant differences between the applications as to:

(a) The background and experience of each of the above-named applicants having a bearing on its ability to own and operate the proposed television station.

operate the proposed television station.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed station.

(c) The programming service proposed in each of the above-entitled applications.

Released: August 10, 1953.

FEDERAL COMMUNICATIONS COMMISSION, WM. P. MASSING,

[SEAL]

Acting Secretary.

[F. R. Doc. 53-7168; Filed, Aug. 13, 1953; 8:50 a. m.]

[Mexican Change List]No. 161] MEXICAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES AND CORRECTIONS IN ASSIGNMENTS

July 13, 1953.

Notification under the provisions of part III, section 2 of the North American Regional Broadcasting Agreement.

List of Changes, Proposed, Changes, and Corrections in Assignments of Mexican Broadcast Stations Modifying the Appendix Containing Assignments of Mexican Broadcast Stations (Mimeograph 47214–6) attached to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

Mexico

Call letters	Location	Power Schedu		Class	Probable date to commence operation
		570 kilocycles		-	
XERR	Monterrey, Nuero Leon (reduction in nighttime power from 250 w).	5 kw/D	ıπ	IV	Oct. 13, 1953.
		610 kilocycles			,
XEGS	Guasave, Sinaloa	5 kw/D 750 w/N	υ	Ш-в	Jan. 13, 1954.
		630 kilocycles			
XEGS	Guasave, Sinaloa (delete assignment-vide 610 kc/s).	5 kw/D 750 w/N	σ	III-B	Do.
		770 kilocycles		!	
XEHB	San Francisco del Oro, Chihuahua Santa Barbara, Chihuahua (delete assignment)	500 w 500 w	D D	H	July 13, 195 3. Do.
6		860 kilocycles			
XENL	Monterrey, Nuevo Leon (increase in power and change in frequency, previously 1190 kc/s).	5 kw	DA-N U	п	Oct. 13, 1953.
	The second secon	1,080 kilocycles			
XEUS	Villa Hermosa, Tabasco	1 kw	DA-N U	v	Jan. 13, 1953.
+ , ·		1,130 kilocycles			
XEJW	Jalapa, Veracruz (increase in power and change in frequency, previously 1,270 kd).	10 kw	DA-N U	II	Oct. 13, 195 3.
		1,150 kilocycles			
XESO	Ciudad Obregon, Sonora (increase in daytime power).	5 kw/D 300w/N	υ	III-B	D ₀ .
		1,190 kilocycles			
XENL	Monterrey, Nuevo Leon (delete assignment, vide 860 kc/s).	1 kw/D 250 w/N	U	п	D ₀ .
		1,320 kilocycles	e		
XEUI	Teapa, Tabasco (change in frequency, previously 1,410 kc/s).	500 w	υ	ПІ-В	Do.
		1,360 kilocycles			
XEUE	Tuxtla Gutierrez, Chiapas (reduction in night- time power from 1 kw).	1 kw/D 500 w/N	υ	III-B	Do.
		1,410 kilocycles			
XEUI	Teapa, Tabasco (delete assignment, vide 1,410 kc/s).	1 kw/D 500 w/N	υ	III-B	Do.
		1,480 kilocycles			
XEGW	Acambaro, Guanajuato (increase in daytime power).	500 w/D 200 w/N	υ	įV	Do.
		1,500 kilocycles			
XERH	Mexico, D. F. (change in power from 50 kw)	20 kw	DA-N U	II	Nov. 15, 1953.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION, W. P. MASSING,

Acting Secretary.

[F. R. Doc. 53-7170; Filed, Aug. 13, 1953; 8:50 a. m.]

[U. S. Change List No. 518]

U. S. STANDARD BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES AND CORRECTIONS IN ASSIGNMENTS

AUGUST 5, 1953.

Notification under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement.

This notification consists of a list of changes, proposed changes, and corrections in Assignments of United States Standard Broadcast Stations modifying the Appendix containing assignments of United States Standard Broadcast Stations, Mimeograph #48126, attached to the "Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941" as amended.

4866 NOTICES

UNITED STATES

Call letters	Location .	Power (kw.)	Anten- na	Sched- ule	Olass	Date of FCO action	Proposed date of change or commence- ment of operation
WHYN	Springfield, Mass. (correction of	560 kilocycles					
	Springfield, Mass. (correction of error in Change List No. 516 m which frequency was shown as 590 ke).	620 kilocycles	•				
WJDX	Jackson, Miss. (change in call letters from WRBO) (corrects error in Change List 517).	900 kilocycles					
KSEN	Richfield, Utah (delete assigment).						
	-	990 kilocycles	~				_
KLIR	Denver, Colo	1.0	D	υ	n		N in O (new station).
		1150 kilocycles]	
(New)	Corpus Christi, Tex	1.0 1290 kilocycles	DA	D	ш	Aug. 5, 1953.	Aug. 5, 1954.
KIVY	Greenville, N. C. (delete assign-	0.5	D	D	ın	đo	Do.
	ment).	1350 kilocycles	}	1]	
WWPA	Williamsport, Pa. (PO: 1340 kc 250	1N/5D	DA-2	σ	ш-в	do	Do.
	w U IV).	1400 kilocycles	1				
KSGA	Cottage Grove, Oreg	0.25	ND	σ	IV		N in O (new sta- tion).
		1570 kilocycles					,
KRWO	Forest Grove, Oreg. (change in call letters from KFGR).						

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION. MASSING, Acting Secretary.

[F. R. Doc. 53-7171; Filed, Aug. 13, 1953; 8:50 a. m.]

[Docket Nos. 10634, 10635]

TRI-CITY TELEVISION CORP. AND BOOTH RADIO & TELEVISION STATIONS, INC.

ORDER DESIGNATING APPLICATIONS FOR CON-SOLIDATED HEARING ON STATED ISSUES

In re applications of Tri-City Television Corporation, Saginaw, Michigan, Docket No. 10634, File No. BPCT-1158; Booth Radio & Television Stations, Inc., Sagmaw, Michigan, Docket No. 10635, File No. BPCT-1229; for construction permits for new television broadcast

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 5th day of August 1953;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 51 in Saginaw, Michigan; and

It appearing, that the above-entitled applications are mutually exclusive in that operation by more than one applicant would result in mutually destructive interference: and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the abovenamed applicants were advised by let-

1953, that their applications were mutually exclusive and that a hearing would be necessary that Tri-City Television. Corporation was advised by the letter of July 15, 1953, that certain questions were raised as a result of deficiencies of a technical nature in its application; and that Booth Radio & Television Stations, Inc., was advised by the letter of July 15, 1953, that certain questions were raised as a result of deficiencies of a financial nature in its application; and

It further appearing, that upon due consideration of the above-entitled applications and the amendments thereto (no replies to the letters of July 15, 1953, having been received) the Commission finds that under section 309 (b) of the Communications Act of 1934, as Communications Act of 1934, as amended, a hearing is mandatory that Tri-City Television Corporation is legally and financially qualified to construct, own and operate a television broadcast station, and is technically so qualified except as to the matters referred to in issue "1" below and that Booth Radio & Television Stations, Inc., is legally and technically qualified to construct, own and operate a television broadcast station;

It is ordered, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled ters dated October 1, 1952, and July 15., applications are designated for hearing

in a consolidated proceeding to commence at 10:00 a. m., on September 4, 1953, in Washington, D. C., upon the following issues:

1. To determine whether the engineering data contained in the above-entitled application of Tri-City Television Corporation is in accordance with the requirements of § 3.684 of the Commission's rules.

2. To determine whether Booth Radio & Television Stations, Inc., is financially qualified to construct, own and operate the proposed television broadcast station.

To determine on a comparative basis which of the operations proposed in the above-entitled applications would better serve the public interest, convenience and necessity in the light of the record made with respect to the significant differences between the applications as

(a) The background and experience of each of the above-named applicants having a bearing on its ability to own and operate the proposed television station.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed station.

(c) The programming service proposed in each of the above-entitled applications.

Released: August 10, 1953.

FEDERAL COMMUNICATIONS. COMMISSION,

WM. P MASSING. [SEAL] Acting Secretary.

[F. R. Doc. 53-7169; Filed, Aug. 13, 1953; 8:50 a. m.1

FEDERAL TRADE COMMISSION

[File No. 21-444]

TOBACCO SMOKING PIPE, AND CIGAR AND CIGARETTE HOLDER INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR ORJECTIONS

In the matter of proposed trade practice rules for the Tobacco Smoking Pipe and Cigar and Cigarette Holder Industry. File No. 21-444.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, organizations, or other parties, including farm, labor, and consumer groups, affected by or having an interest in the proposed trade practice rules for the Tobacco Smoking Pipe, and Cigar and Cigarette Holder Industry, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than September 3, 1953. Opportunity to be heard orally also will be afforded at the hearing beginning at 2

p. m., e. d. s. t., September 3, 1953, in the Hotel Statler, Seventh Avenue at Thirty-third Street, New York City. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

The industry for which trade practice rules are proposed is composed of all persons, firms, corporations, and organizations engaged in the importation, manufacture, processing, assembly, distribution, or sale of tobacco smoking pipes or cigar or cigarette holders of any type or material.

Issued: August 11, 1953.

By the Commission.

[SEAL]

D. C. DANIEL, Secretary.

[F. R. Doc. 53-7163; Filed, Aug. 13, 1953; 8:49 a. m.1

FEDERAL POWER COMMISSION

[Docket No. G-1995]

MISSISSIPPI RIVER FUEL CORP.

ORDER FIXING DATE OF REHEARING

By order issued July 9, 1953, the Commission granted the application by Mississippi River Fuel Corporation for rehearing of the Commission's Opinion No. 250 and accompanying order issued May 11, 1953, in the above-entitled proceeding.

The Commission orders:

(A) Further hearing in this proceeding in accordance with the Commission's order issued July 9, 1953, be held commencing on September 28, 1953, at 10:00 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C.

(B) In the interest of expedition, Mississippi River Fuel Corporation shall, not later than September 21, 1953, serve upon all parties herein, including Commission Staff counsel, copies of all exhibits and prepared testimony proposed to be offered at the rehearing.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: August 5, 1953. Issued: August 10, 1953.

By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 53-7144; Filed, Aug. 1 1953; 8:45 a. m.]

[Docket No. G-2083]

NATURAL GAS PIPELINE Co. of AMERICA

ORDER FIXING DATE OF HEARING

On October 1, 1952, at the above docket, Natural Gas Pipeline Company of America (Natural) filed with this Commission proposed First Revised Sheet Nos. 5, 6, and 7 to its FPC Gas Tariff, First Revised Volume No. 1, proposed to become effective November 1. 1952. Natural's aforesaid gas tariff be-

came effective December 1, 1951, under bond, by order issued December 5, 1951. at Docket No. G-1697. By Commission order issued October 31, 1952, First Revised Sheet Nos. 5, 6, and 7 were suspended pending hearing and decision thereon.

On February 27, 1953, Natural tendered for filing with the Commission First Revised Sheet Nos. 6 and 7, and requested permission that such tariff sheets replace and supersede First Revised Sheet Nos. 6 and 7, which, among other tarisi sheets, had been suspended by the Commission order issued October 31, 1952, above referred to. Certain errors in First Revised Sheet No. 6 were corrected by a filing on March 9, 1953, of a corrected First Revised Sheet No. 6. By order issued March 27, 1953, the Commission accepted First Revised Sheet Noc. 6 and 7, as corrected, for filing as of February 27, 1953, in substitution for First Revised Sheet Nos. 6 and 7, which were then under suspension. The First Revised Sheet Nos. 6 and 7 so accepted for filing were ordered made subject to the suspension and deferral of use provided by the Commission's order issued at Docket No. G-2083 on October 31, 1952.

These suspended First Revised Sheets were made effective as of April 1, 1953, under bond, by order issued April 17, 1953.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing pursuant to the authority contained in section 4 of the act, concerning the lawfulness of Natural's First Revised Sheet Nos. 5, 6, and 7 to its FPC Gas Tariff, First Revised Volume No. 1.

The Commission orders:

(A) Pursuant to the authority contained in section 4 of the Natural Gas Act, a public hearing be held commencıng August 31, 1953, at 10:00 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. G., concerning the law-fulness of rates, charges, classifications, and services contained in Northern's First Revised Sheet Nos. 5, 6, and 7 to its FPC Gas Tariff, First Revised Volume No. 1.

(B) At the hearing Natural shall first present and complete its case-in-chief before cross-examination is undertaken.

(C) Natural shall reduce the testimony it proposes to present at the hearing to writing and not later than August 24, 1953, shall serve upon all parties, including Commission Staff Counsel, copies of the testimony and exhibits proposed to be offered at the hearings by Northern.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and pro-

Adopted: August 5, 1953.

Issued: August 10, 1953.

By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

8:45 a. m.1

[Docket No. G-2160]

CENTRAL ILLINOIS PUBLIC SERVICE CO.

ORDER DENYING REQUEST FOR SHORTENED PROCEDURE AND FIXING DATE OF HEARING

On April 23, 1953, Central Illinois Public Service Company (Petitioner), an Illinois corporation, filed a petition for an order pursuant to section 7 (a) of the Natural Gas Act directing Trunkline Gas Company (Respondent) to establish or permit establishment of physical connection of its transmission facilities with Petitioner's existing 4-inch Mattoon-Effingham pipeline at a point of inter-section near Neoga, Illinois, and to deliver and sell natural gas to Petitioner, all as more fully described in said petition on file with the Commission and open to public inspection.

Petitioner has requested that its petition be heard under the shortened procedure provided by § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of

practice and procedure.

Due notice of the filing of the petition. including publication in the Federal Register on May 16, 1953 (18 F. R. 2269) has been given.

Respondent's answer to the petition, filed May 20, 1953, neither opposed nor supported the patition. A patition seek-ing leave to intervene in this proceeding was filed by Panhandle Eastern Pipe Line Company (Panhandle) on May 23, 1953. On June 3, 1953, Petitioner filed a response to the answer of Respondent and to the petition to intervene of Panhandle. On June 17, 1953, an order was issued permitting intervention by Panhandle.

The Commission finds: Good cause has not been shown for granting Petitioner's request that its petition herein be heard under the shortened procedure as provided by the Commission's rules of practice and procedure and said request should be denied as hereinafter ordered.

The Commission orders:

(A) Petitioner's request that its petition herein be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure be and the same is hereby denied.

(B) Pursuant to the authority contained in and by vitrue of the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's Rules of Practice and Procedure, a hearing be held commencing on September 16, 1953, at 10:00 a.m., e.d. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by said petition.

(C) Interested State commission may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: August 5, 1953.

Issued: August 10, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY, Secretary.

[F. R. Doc. 53-7145; Filed, Aug. 13, 1953; [P. R. Doc. 53-7146; Filed, Aug. 13, 1953; 8:46 a. m.1

NOTICES 4868

[Docket No. G-2190] MONTANA-DAKOTA UTILITIES Co. ORDER FIXING DATE OF HEARING

On June 17, 1953, Montana-Dakota Utilities Co. (Applicant) a Delaware corporation having its principal place of business at Minneapolis, Minnesota, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of approximately 4,032 feet of 3½-inch natural-gas transmission pipeline replacing an equal amount of 1½-inch and 2-inch sales lateral pipeline near Belle Fourche, South Dakota, all as more fully described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on July 15, 1953 (18 F. R. 4148)

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on August 28, 1953, at 9:30 a; m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by the application herein: Provided, however That the Commission may, after a noncontested hearing, dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(b) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: August 5, 1953: Issued: August 10, 1953.

By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 53-7147; Filed, Aug. 13, 1953; 8:46 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[ODM (DPA) Request No. 26-DPAV-34 (a)]

DELETIONS FROM LIST OF COMPANIES AC-CEPTING REQUEST TO PARTICIPATE IN-ACTIVITIES OF ARMY ORDNANCE CORPS INTEGRATION COMMITTEE ON CONVEN-TIONAL ARTILLERY AND MORTAR SHELL

Pursuant to section 708 of the Defense Production Act of 1950, as amended, there is herewith published the names of the following companies which have been deleted from the list of companies accepting the request to participate in the activities of the Army Ordnance Corps Integration Committee on Conventional Artillery and Mortar Shell, in accordance with the voluntary plan entitled "Plan and Regulations of Ordnance Corps Governing the Integration Committee on Conventional Artillery and Mortar Shell." dated September 28, 1951. The request was published in 17 F R. 4246, on May 8, 1952.

W. F. & John Barnes Co., 2816 North Main

Road, Rockford, Ill.
The Maytag Co., Newton, Iowa.
Monroe Auto Equipment Co., First Street, Monroe, Mich.

Titeflex, Inc., Hendee Street, Springfield 4,

Traubee Products, Inc., 930 Bergen Street, Brooklyn, N. Y. United States Pipe & Foundry Co., Burling-

ton, N. J. Kerotest Manufacturing Co., 2525 Liberty

Avenue, Pittsburgh 20, Pa. (Sec. 708, 67 Stat. 129, Pub. Law 95, 83d Cong.; E. O. 10467, June 30, 1953, 18 F. R.

Dated: August 12, 1953.

ARTHUR S. FLEMMING, Director

[F. R. Doc. 53-7234; Filed, Aug. 13, 1953; 11:09 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No: 70-3124]

STANDARD POWER AND LIGHT CORP.

NOTICE OF PROPOSED ACQUISITION BY PARENT OF SECURITIES TO BE DISTRIBUTED BY SUB-HOLDING COMPANY UNDERGOING LIQUIDA-TION

AUGUST 10, 1953.

Notice is hereby given that an application has been filed with this Commission by Standard Power and Light Corporation ("Power") a registered holding company, under sections 9 and 10 of the Public Utility Holding Com-pany Act of 1935 ("act") in respect of a proposed transaction which is summarized as follows:

Power owns 1,160,000 shares of the common stock of Standard Gas and Electric Company ("Standard") a registered holding company, which in turn owns all of the outstanding common stock of Philadelphia Company ("Philaalso a registered holding delphia") company. Power, Standard and Philadelphia have been ordered by this Commission to liquidate and dissolve. There are pending before the Commission plans filed by Standard, pursuant to section 11 (e) of the act, to effectuate compliance with the required liquidation of Standard and Philadelphia.

On July 1, 1953, Standard filed an amendment to said plans which provides, among other things, for the distribution by Philadelphia to Standard of 560,048 shares of common stock of Duquesne Light Company ("Duquesne") a public utility subsidiary of Philadel-

phia, and the distribution by Standard to its common stockholders, in partial liquidation, of 540,651.75 shares of Duquesne common stock on the basis of one-fourth (1/4) share of Duquesne stock for each share of Standard stock owned.

The application by Power requests approval, forthwith, of the acquisition by it of its distributive share (250,000 shares) of the Duquesne common stock to be distributed by Standard,

The application states that no state commission has jurisdiction over the proposed transaction. The fees and expenses to be incurred in connection with the proposed transaction are estimated at not to exceed \$400, including counsel fees of not to exceed \$300.

Notice is further given that any interested person may, not later than August 24, 1953, at 5:30 p. m., request the Commission in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which'he desires to controvert, or may request that he be notified if the Commission orders a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

ORVAL L. DuBois. Secretary.

[F. R. Doc. 53-7149; Filed, Aug. 13, 1953; 8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28350]

SPENT SULPHURIC ACID FROM ATLANTA, GA., TO NASHVILLE, TENN.

APPLICATION FOR RELIEF

August 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for Atlanta and West Point Rail Road Company, Central of Georgia Railway Company and Nashville, Chattanooga & St. Louis Railway.

Commodities involved: Sulphuric acid. spent, in tank-car loads.

From: Atlanta, Ga. To: Nashville, Tenn. Grounds for relief: Competition with rail carriers, circuitous routes.
Schedules filed containing proposed

rates: C. A. Spaninger, Agent, tariff I. C. C. No. 1357, supp. 14.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from

the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD, Acting Secretary.

[F. R. Doc. 53-7153; Filed, Aug. 13, 1953; 8:48 a. m.1

[4th Sec. Application 28351]

FERTILIZER FROM OWENSBORO, Ky., PAS-CAGOULA, MISS., AND CHARLESTON, S. C., TO POINTS IN INDIANA

APPLICATION FOR RELIEF

AUGUST 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below. Commodities involved: Fertilizer and

fertilizer materials, carloads. From: Owensboro, Ky., Pascagoula,

Miss., and Charleston, S. C. To: Points in Indiana.

Grounds for relief: Competition with rail carriers, circuitous routes, to apply rates constructed on the basis of the short-line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, tariff I. C. C. No. 1366, supp. 4.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD. Acting Secretary.

[F. R. Doc. 53-7154; Filed, Aug. 13, 1953; 8:48 a. m.]

[4th Sec. Application 28352]

HIDES, PELTS AND SKINS FROM READING, PA., TO GEORGIA AND ALABAMA

APPLICATION FOR RELIEF

August 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by. R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below. Commodities involved: Hides, pelts, and skins, carloads.

From: Reading, Pa.

To: Atlanta and Moultrie, Ga., Nashville, Tenn., and Ocala and Montgomery, Ala.

Grounds for relief: Competition with rail carriers, circuitous routes, to apply rates constructed on the basis of the short-line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, tariff

I. C. C. No. 1324, supp. 37.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission. in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

GEORGE W. LAIRD, Acting Secretary.

[F. R. Doc. 53-7155; Filed, Aug. 13, 1933; 8:48 a. m.]

14th Sec. Application 283531

ASPHALT FILLER FROM CHATSWORTH, GA. TO CERTAIN STATES

APPLICATION FOR RELIEF

August 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedules listed below.

Commodities involved: Asphalt filler, consisting of pulverized scapstone, pulverized tale tailings, pulverized slate or slate dust, carloads.

From: Chatsworth, Ga.

To: Points in Indiana, Maryland, Massachusetts, New Jersey, and Pennsylva-

Grounds for relief: Competition with rail carriers, circuitous routes, to apply

rates constructed on the basis of the short-line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, tariff, I. C. C. No. 1351, supp. 19; C. A. Spaninger, Agent, tariff I. C. C. No. 1324, supp. 37.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAMD, Acting Secretary.

[P. R. Doc. 53-7156; Filed, Aug. 13, 1953; 8:48 a. m.]

[4th Sec. Application 28354]

WRAPPING PAPER AND RELATED PAPER ARTICLES FROM HOMER, LA., TO ST. Louis, Mo., and Eist St. Louis and THEBES, ILL.

APPLICATION FOR RELIEF

August 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act. '

Filed by F C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Wrapping paper and related paper articles, carloads.

From: Homer, La.

To: St. Louis, Mo., East St. Louis and Thebes, Ill.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, I. C. C.

No. 4063, supp. 8.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before

the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD, Acting Secretary.

[F. R. Doc. 53-7157; Filed, Aug. 13, 1953; 8:48 a. m.1

[4th Sec. Application 28355].

MERCHANDISE IN MIXED CARLOADS FROM CINCINNATI, OHIO, TO ORLANDO AND ST. PETERSBURG, FLA.

APPLICATION FOR RELIEF

August 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent., for carriers parties to schedule listed below. Commodities involved: Merchandise

in mixed carloads.

From: Cincinnati, Ohio.

To: Orlando and St. Petersburg, Fla. Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No.

1305, supp. 27.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD, Acting Secretary.

[F. R. Doc. 53-7158; Filed, Aug. 13, 1953; 8:48 a. m.]

[4th Sec. Application 28356]

MERCHANDISE IN MIXED CARLOADS FROM CERTAIN POINTS TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

AUGUST 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below. Commodities myolved: Merchandise in mixed carloads.

From: Ohio River crossings, Virginia cities, and Washington, D. C.

To: Specified points in southern territory.

Grounds for relief: Competition with

rail carriers, circuitous routes. Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C.

No. 1305, supp. 27.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As pro-vided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD, Acting Secretary.

[F. R. Doc. 53-7159; Filed, Aug. 13, 1953; 8:48 a. m.]

[4th Sec. Application 28357.]

FRESH MEATS AND PACKING HOUSE PROD-UCTS, FROM POINTS IN OKLAHOMA AND TEXAS TO POINTS IN LOUISIANA AND TEXAS

APPLICATION FOR RELIEF

AUGUST 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to schedule listed below. Commodities involved: Fresh meats and packing house products, carloads.

From: Oklahoma City, Okla., Miller, Greenville, Dallas, Fort Worth, North Fort Worth, and Sherman, Tex.

To: Points in Louisiana and Texas. Grounds for relief: Competition with rail carriers, circuitous routes, competition with motor carriers.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, tariff I, C. C. No. 4036, supp. 14.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commssion in writing so to do within 15 days from the date of this notice. As provided

by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to tho application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD, Acting Secretary.

[F. R. Doc. 53-7160; Filed, Aug. 13, 1953; 8:49 a. m.1

[4th Sec. Application 28358]

ROAD SURFACING GRAVEL FROM STANDARD PIT, IND., TO CISSNA PARK AND BRYCE,

APPLICATION FOR RELIEF

August 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. G. Raasch, Agent, for carriers parties to schedule listed below.

Commodities involved: Gravel, road surfacing, passing through a one-inch screen, carloads.

From: Standard Pit, Ind.

To: Cissna Park and Bryce, Ill.

Grounds for relief: Wayside pit competition.

Schedules filed containing proposed rates: Chicago and Eastern Illinois Railroad Company tariff I. C. C. No. 144, supp. 25.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD, Acting Secretary.

IF. R. Doc. 53-7161; Filed, Aug. 13, 1953; 8:49 a. m.]